IRENICUM.

A

WEAPON-SALVE

FOR THE

Churches WOUNDS.

OR THE

DIVINE RIGHT

OF

Particular Forms of CHURCH-GOVERNMENT;

Discussed and examined according to the Principles of the Law of Nature, the positive Laws of God, the practice of the Apostles and the Primitive Church, and the judgment of Reformed Divines.

Whereby a foundation is laid for the Churches peace, and the accommodation of our present differences.

Humbly tendered to Consideration.

By *Edward Stillingfleet*, Rector of *Sutton* in *Bedfordshire*.

The Second Edition, with an Appendix concerning the Power of Excommunication in a Christian Church.

Let your Moderation be known unto all men; the Lord is at hand, *Phil.* 4. 5.

Si ad decidendas hodiernas controversias —— jus divinum à positivo seu Ecclesiastico candidè separaretur; non videretur de iis quæ sunt absolutè necessaria, inter pios aut moderatos viros longa aut acris contentio futura. Hianc. Cassaub. ep. ad Card. Perron.

Multum refert ad retinendam Ecclesiarum pacem inter ea quæ jure divino præcepta sunt, & quæ non sunt, accuratè distinguere. Grotius de Imper. sum. Potestat. circa. sacra. cap. 11.

London, Printed by *R. W.* for *Henry Mortlock*, at the *Phœnix* in St. *Paul's* Church yard near the little North door. 1662.

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THE PREFACE TO THE READER.

I Write not to increase the Controversies of the times, nor to foment the differences that are among us; the one are by far too many, the other too great already. My only design is to allay the heat and abate the fury of that Ignis sacer, or Erysipelas of contention, which hath risen in the face of our Church, by the overflowing of that bilious humour which yet appears to have too great predominancy in the Spirits of men. And although with the poor Persian I can only bring a hand-full of water, yet that may be my just Apology, that it is for the quenching those flames in the Church, which have caused the bells of Aaron to jangle so much, that it seems to be a work of the greatest difficulty to make them tunable. And were this an Age wherein any thing might be wondred at, it would be matter of deserved admiration, to hear the noise of the Axes and Hammers so much about the Temple, and that after those eight twenty years carving and hewing, we are so rude and

unpoliſhed *ſtill, and ſo far from being* cemented *together in the* unity of the Spirit and the bond of Peace. *May we not juſtly fear that voice,* Migremus hinc, *when we ſee the* vail *of the* Temple *ſo* rent aſunder, *and the* Church *its ſelf made a* Partition-wall *to* divide *the* members *of it? And ſince the* wiſe and gracious God *hath been pleaſed (in ſuch an almoſt miraculous manner) ſo lately to abate the* Land-flood *of our* civil inteſtine diviſions, *how ſtrange muſt it needs ſeem, if our* ſacred contentions *(if contentions may be called ſacred) like* the waters of the Sanctuary, *ſhould riſe* from the Ancle to the Knee, *till at laſt they may grow unpaſſable? Muſt only the* fire *of our unchriſtian* animoſities *be like that of the* Temple, *which was never to be* extinguiſhed? *However I am ſure it is ſuch a one as was never* kindled from Heaven, *nor* blown up *with any* breathings *of the* Holy and Divine Spirit. *And yet that hath been the* aggravation *of our diviſions, that thoſe whoſe duty it is* to lift up their voyces like Trumpets, *have rather ſounded an* Alarm *to our contentious ſpirits, than a* Parley *or* Retreat, *which had been far more ſuitable to our* Meſſengers of Peace. *In which reſpect it might be too truly ſaid of our Church, what is ſpoken of the* Eagle *in the* Greek Apologue:

Βλέπει τὸ σῶμα ἀετὸς τρωθὲν πάλαι;
Ἀχθῶν δ' ὀλοιτὸν, ὃς πολλὰ δακρύων.
Βλέπων δ' ὀϊστὸν, εἶπεν ἐπτερωμένον,
Βαβαῖ, πόθεν με τὸν πτερωτὸν ὤλεσε.

The Eagle ſaw her breaſt was wounded ſore,
She ſtood, and weeped much, but grieved more:
But when ſhe ſaw the dart was feather'd, ſaid,
Woe's me, for my own kind hath me deſtroy'd.

It is so long since what version of the vulgar *Latin*, *Psal.* 68. 14. inter Dominicleros, *might have been sadly rendered to dye among the* Pots: *and* Picrius Valerianus *might have met with too many examples to have increased his book* De Literatorum Infœlicitate; *and in the next age it might have been true again what* Matthew Paris *observes of the* Clergy *in the* Conquerours *time*; adeò literaturâ carebant ut cæteris stupori esset qui Grammaticam didicisset. *But blessed be God who hath freed us from that* Dæmonium meridianum *of* Ignorance *and* Barbarism; *may we be but as happily delivered from the plague of our divisions and animosities! Than which, there hath been no greater* scandal *to the* Jews, *nor* opprobrium *of our religion among* Heathens and Mahumetans, *nor more common objection among the* Papists, *nor any thing which hath been more made a pretence even for* Atheism *and* Infidelity. *For our* Controversies *about* Religion *have brought at last even* Religion *it self into a* Controversie, *among such whose weaker judgements have not been able to discern where the plain and unquestionable way to heaven hath lyn, in so great a* Mist *as our* Disputes *have raised among us. Weaker heads when they once see the* battlements *shake, are apt to suspect that the* foundation *its self is not* firm *enough*; *and to conclude, if any thing be call'd in question, that there is nothing certain. And truly, it cannot but be looked on as a sad presage of an approaching* Famine, not of bread, but of the Word of the Lord; *that our* lean Kine *have* devoured the fat, *and our* thin ears the plump and full; *I mean our* Controversies *and* Disputes, *have* eaten *so much out the* life *and* practice *of* Christianity. Religion *hath been so much* rarified *into* aiery notions *and* speculations, *by the* distempered heat *of vain spirits, that its outward* strength *and the* vitals *of it have been*

much abated *and* consumed *by it.* Curiosity, *that* Green sickness *of the soul, whereby it longs for novelties, and loaths sound and wholsome truths, hath been the* Epidemical distemper *of the age we live in. Of which it may be as truly said as ever yet of any, that it was* Sæculum fertile religionis, sterile pietatis; *I fear this will be the character whereby our* Age *will be known to Posterity, that it was* the Age wherein men talked of Religion most, and lived it least. *Few there are who are content with that* Dimensum *which* God *hath set them; every one almost is of the* Spanish Jesuites *mind;* Beatus qui prædicat verbum inauditum, *seeking to find out somewhat whereby he may be reckoned, if not among the* Wise, *yet among the* Disputers of this world. *How small is the number of those sober Christians, of whom it may be said as* Lucian *of his* Parasites, ὐκ ἀχόλαζον νοσεῖν, *they were not at leasure to be sick of this* pica (1 *Tim.* 6. 4.) *such as longed more to tast of the* Tree of life, *than of the* Tree of knowledge: *And as* Zenophon *speaks of the* Persians, τὸ ὑγιὲς ἐκπολεῖντες ἀνήλισκον, *they consume the* fomes morbi, *the root of this distemper by their serious endeavours after* peace and holiness. *But instead of this, the generality of men let all their Religion run up into* bryers *and* thorns, *into contentions and parties, as though Religion were indeed* sacramentum militiæ, *but more against fellow-Christians than the unquestionable hinderances of mens eternal happiness. Men being very loth to put themselves to the trouble of a* Holy life, *are very ready to embrace any thing which may but dispence with that, and if but listing mens selves under such a party, may but shelter them under a disguise of Religion, none more ready than such to be known by* distinguishing names; *none more zealous in the defence of every* tittle *and* punctilio *that lies most remote from those essential*

duties

duties wherein the Kingdom of God consists, viz. righteousness, and peace, and joy in the Holy Ghost. *And hence all the several parties among us have given such glorious names only to the outward Government of the Church*; *the* undoubted practice of the Apostles; the Discipline of Christ, the order of the Gospel, *and account only that the* Church *where their own method of Government is observed*; *just as the* Historian *observes of* Brutus *and* Cassius, ubicunque ipsi essent prætexentes esse rempublicam, *they think the Church can never be preserved but in that vessel they are imbarked in. As though Christ could not have caused his flock to rest* sub Meridie, *unless the* Pars Donati *had been in the* South. *And from this* Monopolizing *of* Churches *to* parties, *hath proceeded that strange uncharitableness towards all who come not up to every circumstance of their way and method, which is a piece of prudence like that of* Brutus, *who when he had raised those flames in the* Commonwealth, *was continually calling* Cæsar Tyrant; ita enim appellari Cæsarem, facto ejus expediebat. *So when men have caused such lamentable divisions in the Church, by their several parties and factions, it concerns them to condemn all others besides themselves, lest they most of all condemn themselves for making unnecessary divisions in the Church of God. This uncharitableness and ill opinion of all different parties, only gathers the fuel together, and prepares combustible matter, which wants nothing but the clashing of an adverse party, acted upon principles of a like nature, to make it break out into an open flame. And such we have seen, and with sadness and grief of heart felt it to be in the bowels of our own Church and Nation, by reason of those violent* Calentures *and* Paroxysms *of the spirits of men, those* heart-burnings *and* contentions *which have been among us, which will require both time*

and

and skill to purge out those noxious humours *which have been the causes of them. I know no prescriptions so likely to effect this happy end, as an* Infusion *of the true* Spirits *of Religion, and the* Revulsion *of that* extravasated blood, *into its proper channels: Thereby to take men off from their eager pursuit after wayes and parties, notions and opinions, (wherein many have run so far, that they have left the best part of their Religion behind them) and to bring them back to a right understanding of the* nature design *and* principles *of* Christianity.

Christianity, *a* Religion, *which it is next to a miracle men should ever quarrel or fall out about; much less that it should be the* occasion, *or at least the* pretence *of all that strife and bitterness of spirit, of all those contentions and animosities which are at this day in the Christian world. But our only comfort is, that whatever our spirits are, our God is* the God of peace, *our Saviour is* the Prince of peace; *and that* wisdom *which this Religion teacheth, is both* pure and peaceable. *It was that which once made our Religion so amiable in the judgement of impartial heathens, that* nill nisi justum suadet & lene, the Court of a Christians conscience was the best Court of equity in the word. Christians *were once known by their* τὸ ἐγγὺς καὶ μικτικὸν ἦθος, *the benignity and sweetness of their disposition, by the Candor and ingenuity of their spirits, by their mutual love, forbearance, and condescension towards one another. But* Aut hoc non est Evangelium, aut nos non sumus Evangelici, *Either this is not the practice of Christianity, or it was never* calculated *for our* Meridian, *wherein mens spirits are of too* high *an* elevation *for it. If pride and uncharitableness, if divisions and strifes, if wrath and envy, if animosities and contentions were but the marks of true Christians,* Diogenes *never need light his lamp as noon to find out such among*

us.

us. But if a ſpirit of meekneſs, gentleneſs and condeſcenſion, if a ſtooping to the weakneſs and infirmities of others, if a purſuit after peace even when it flies from us, be the indiſpenſable *duties and the* Characteriſtical *notes of thoſe that have more than the name of Chriſtians, it may poſſibly prove a difficult* inqueſt *to find out ſuch for the crouds of thoſe who ſhelter themſelves under that glorious name. Whence came it elſe to be ſo lately looked on as the way to* advance Religion, *to* baniſh peace, *and to* reform mens manners by taking away their lives? *whereas in thoſe pure and primitive times when* Religion *did truely* flouriſh, *it was accounted the greateſt* inſtance of *the piety of Chriſtians* not to fight but to dye for Chriſt. *It was never thought then that* Bellona *was a* nurſing Mother to the Church of God, *nor* Mars a God of Reformation. *Religion was then propagated, not by Chriſtians ſhedding the blood of others, but by laying down their own. They thought there were other wayes to a* Canaan *of* Reformation *beſides the paſſing through a* Wilderneſs *of* Confuſion *and a* red Sea *of* blood. Origen *could ſay of the Chriſtians in his time,* ἐκεῖ γὰρ λαμβάνομεν ἐπ' ἔθνος μάχαιραν, ἐδὲ μανθάνομεν ἔτι πολεμεῖν γινόμενοι διὰ τὸν Ἰησοῦν μαθηταὶ τῆς εἰρήνης. *They had not yet learnt to make way for Religion into mens minds by the dint of the ſword, becauſe they were the diſciples of that Saviour who never* preſſed *followers as men do* Souldiers, *but ſaid,* If any man will come after me, let him take up his Croſs (*not his Sword*) and follow me. *His was* ἥμερος καὶ φιλάνθρωπος νομοθεσία, *his very commands ſhewed his meekneſs; his Laws were ſweet and gentle Laws; not like* Draco's *that were writ in blood, unleſs it were his own that gave them.* C. Celſum l. 3.

His deſign was to eaſe men of their former burdens, and not to lay on more; the duties he required were no other

but such as were necessary, and withal very just and reasonable. He that came to take away the insupportable yoke of Jewish ceremonies, certainly did never intend to gall the necks of his Disciples with another instead of it. And it would be strange the Church should require more than Christ himself did; and make other conditions of her communion, than our Saviour did of Discipleship. What possible reason can be assigned or given why such things should not be sufficient for communion with a Church, which are sufficient for eternal salvation? And certainly those things are sufficient for that, which are laid down as the necessary duties of Christianity by our Lord and Saviour in his Word. What ground can there be why Christians should not stand upon the same terms now which they did in the time of Christ and his Apostles? Was not Religion sufficiently guarded and fenced in them? Was there ever more true and cordial reverence in the worship of God? What Charter *hath Christ given the Church to bind men up to more than himself hath done? or to exclude those from her society who may be admitted into Heaven? Will Christ ever thank men at the great day for keeping such out from communion with his Church, when he will vouchsafe not only Crowns of glory to, but it* may be aureolæ *too, if there be any such things there? The grand commission the Apostles were sent out with, was only to* teach what Christ had commanded them. *Not the least intimation of any power given them to impose or require any thing beyond what himself had spoken to them, or they were directed to by the immediate guidance of the Spirit of God. It is not Whether the things commanded and required be lawful or no? it is not whether indifferencies may be determined or no? it is not How far Christians are bound to submit to a restraint of their Christian liberty? which I now inquire after, (of those things in the treatise*

treatise its self) but whether they do consult for the Churches peace and unity who suspend it upon such things? How far either the example of our Saviour or his Apostles doth warrant such rigorous impositions? We never read the Apostles making Laws but of things supposed necessary. When the Council of Apostles met at Jerusalem, *for deciding a case that disturbed the Churches peace, we see* they would lay no other burden πλὴν τῶν ἐπάναγκες τούτων, besides these necessary things, *Acts* 15. 29. *It was not enough with them that the things would be necessary when they had required them, but they looked on an* antecedent *necessity either absolute or for the present state, which was the only ground of their imposing those commands upon the Gentile Christians. There were after this great diversities of practice and varieties of observations among Christians, but the Holy Ghost never thought those things fit to be made matters of Laws, to which all parties should conform; All that the Apostles required as to these, was mutual forbearance and condescension towards each other in them. The Apostles valued not* indifferences *at all, and those things it is evident they accounted such, which whether men did them or not, was not of concernment to salvation. And what reason is there why men should be so strictly tyed up to such things, which they may do or let alone, and yet be very good Christians still? Without all controversie, the main in-let of all the distractions, confusions and divisions of the Christian world, hath been by adding other conditions of Church-communion than Christ hath done. Had the Church of* Rome *never taken upon her to add to the rule of faith, nor imposed Idolatrous and superstitious practices, all the injury she had done her self had been to have avoided that fearful Schism which she hath caused throughout the Christian world. Would there ever be the*

Is peace and unity in a Church, if a diversity were allowed as to practices supposed indifferent? yea there would be so much more as there was a mutual forbearance and condescension as to such things. The unity of the Church is an unity of love and affection, and not a bare uniformity of practice or opinion. This latter is extremely desirable in a Church; but as long as there are several ranks and sizes of men in it, very hardly attainable, because of the different persuasions of mens minds as to the lawfulness of the things required. And it is no commendation for a Christian to have only the civility of Procrustes, *to commensurate all other men to the bed of his* own humour and opinion. *There is nothing the* Primitive Church deserves *greater incitation by us in, than in that admirable temper, moderation, and condescension which was used in it, towards all the members of it. It was never thought worth the while to make any standing Laws for rites and customs that had no other original but tradition, much less to suspend men her communion for not observing them.*

Hist. Eccl. l. 7. c. 15. Εὐήθες γὰρ καὶ μάλα δικαίως ὑπέλαβον ἐθῶν ἕνεκεν ἀλλήλων χωρίζεσθαι, περὶ τὰ χρήσιμα τῆς θρησκείας συμφωνοῦντες, *as* Sozomen *tells us.* They judged it, and that very justly, a foolish and frivolous thing, for those that agree in the weighty matters of Religion, to separate from one anothers communion for the sake of some petty customs and observations. Οὐ γὰρ τὰς αὐτὰς παραδόσεις κατὰ πάντα ὁμοίας καὶν ὁμόδοξοι εἶεν, ἐν πάσαις δὲ ἐκκλησίαις εὑρεῖν ἔστιν. For Churches agreeing in the same faith, often differ in their rites and customs. *And that not only in different Churches, but in different places belonging to the same Church; for as he tells us, many Cities and Villages in* Egypt, *not only differed from the customs of the* Mother Church *of* Alexandria, *but from all other Churches besides* in their publick Assemblies on the evenings of the

the Sabbath, and receiving the Euchariſt after dinner: *This admirable temper in the Primitive Church might be largely cleared from that liberty they allowed freely to diſſenters from them in matters of practice and opinion: as might be cleared from* Cyprian, Auſtin, Jerome, *and others; but that would exceed the bounds of a Preface. The firſt who brake this order in the Church, were the* Arrians, Donatiſts, *and* Circumcellians, *while the true Church was ſtill known by its priſtine Moderation and ſweetneſs of deportment towards all its members. The ſame we hope may remain as the moſt infallible evidence of the conformity of our Church of* England *to the Primitive, not ſo much in* uſing *the ſame* rites *that were in uſe then, as in* not impoſing them, *but leaving men to be won by the obſerving the true decency and order of Churches, whereby thoſe who act upon a true Principle of Chriſtian ingenuity may be ſooner drawn to a complyance in all lawful things, than by force and rigorous impoſitions, which make men ſuſpect the weight of the thing it ſelf when ſuch force is uſed to make it enter. In the mean time what cauſe have we to rejoyce, that Almighty God hath been pleaſed to reſtore us a* Prince *of that* excellent Prudence and Moderation, *who hath ſo lately given aſſurance to the world, of his* great indulgence towards all that have any pretence from conſcience to differ with their Brethren! *The only thing then ſeeming to retard our peace, is, the* Controverſie *about* Church-Government, *an unhappy controverſie to us in* England, *if ever there were any in the world. And the more unhappy, in that our contentions about it have been ſo great, and yet ſo few of the multitudes engaged in it, that have truly underſtood the matter they have ſo eagerly contended about. For the ſtate of the controverſie as it concerns us, lyes not here, as it is generally miſtaken,* what form of

Government comes the neareſt to Apoſtolical practice; *but* Whether any one individual form be founded ſo upon Divine Right, that all ages and Churches are bound unalterably to obſerve it: *The clearing up of which by an impartial enquiry into all the grounds produced for it, being of ſo great attendency to an accommodation of our preſent differences, was the only motive which induced me to obſerve* Ariſtotle's *wild* Politicks, *of expoſing this deformed conception to the entertainment of the wide world. And certainly they who have eſpouſed the moſt the* intereſt *of a* jus divinum, *cannot yet but ſay, that if the opinion I maintain be true, it doth exceedingly conduce to a preſent ſettlement of the differences that are among us. For then all parties may retain their different opinions concerning the Primitive form, and yet agree and pitch upon a form compounded of all together as the moſt ſuitable to the ſtate and condition of the Church of God among us: That ſo the peoples intereſt be ſecured by conſent and ſuffrage, which is the pretence of the congregational way; the due power of Presbyteries aſſerted by their joynt concurrence with the Biſhop, as it is laid down in that excellent model of the* late incomparable Primate of Armagh: *and the juſt honour and dignity of the* Biſhop *aſſerted, as a very laudable and ancient conſtitution for preſerving the peace and unity of the Church of God. So the learned* Is. Caſaubon *deſcribes the* Polity *of the* Primitive Church, Epiſcopi in ſingulis Eccleſiis conſtituti cum ſuis Presbyteriis, & propriam ſibi quiſque peculiari curâ, & univerſam omnes in commune curantes, admirabilis cujuſdam Ariſtocratiæ ſpeciem referebant. *My main deſign throughout this whole Treatiſe, is, to ſhew that there can be no argument drawn from any pretence of a* Divine Right, *that may hinder men from conſenting and yielding to ſuch a form of Government*

Exercit. 15. ſ. 11.

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in the Church, as may bear the greateſt correſpondency to the Primitive Church, and be moſt advantagiouſly conduceable to the peace, unity, and ſettlement of our divided Church. I plead not at all for any abuſes or corruptions incident to the beſt form of Government through the corruption of men and times. Nay, I dare not harbour ſo low apprehenſions of perſons enjoying ſo great dignity and honour in the Church, that they will in any wiſe be unwilling of themſelves to reduce the form of Church-Government among us to its Primitive ſtate and order, by retrenching all exorbitances of power, and reſtoring thoſe Presbyteries which no Law hath forbidden, but only through diſuſe have been laid aſide. Whereby they will give to the world that rare example of ſelf-denyal *and the* higheſt Chriſtian prudence, *as may raiſe an honourable opinion of them even among thoſe, who have hitherto the moſt ſlighted ſo ancient and venerable an* order *in the Church of God; and thereby become the repairers of thoſe otherwiſe irreparable breaches in the Church of God. I conclude with the words of a late* learned, pious, *and* moderate Prelate *in his* Via media; I have done, and now I make no other account, but that it will fall out with me, as it doth commonly with him that offers to part a fray; both parts will perhaps drive at me for wiſhing them no worſe than peace. My ambition of the publick tranquillity ſhall willingly carry me through this hazard; let both beat me, ſo their quarrel may ceaſe; I ſhall rejoyce in thoſe blows and ſcars which I ſhall take for the Churches ſafety.

THE

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A Weapon-Salve for the Churches wounds: OR, The Divine right of particular forms of Government in the Church of God, discussed and examined according to the principles of the Law of Nature, the positive Laws of God, the practice of the Apostles, and the Primitive Church: And the judgement of Reformed Divines.

PART I.

CHAP. I.

Things necessary for the Churches peace, must be clearly revealed. The form of Church Government not so, as appears by the remaining controversie about it. An evidence thence, that Christ never intended any one form, as the only means to peace in the Church. The nature of a divine right discussed. Right in general either makes things Lawful, or else Due. For the former, a non-prohibition sufficient, the latter an express command. Duty supposeth legislation and promulgation. The Question stated. Nothing binds unalterably but by vertue of a standing Law, and that twofold. The Law of nature and positive Laws of God. Three wayes to know when positive Laws are unalterable. The divine right arising from Scripture examples, divine acts, and divine approbation considered.

§. 1. HE that imposeth any matter of opinion upon the belief of others, without giving evidence of reason for it, proportionable to the confidence of his assertion, must either suppose the thing propounded, to carry such unquestionable credentials of truth and reason with it, that none who know what they

they mean can deny it entertainment; or else that his own understanding hath attained to so great perfection, as to have authority sufficient to oblige all others to follow it. This latter cannot be presumed among any who have asserted the freedom of their own understandings, from the dictates of an infallible chair: but if any should forget themselves so far as to think so, there needs no other argument to prove them not to be infallible in their assertions, than this one assertion, that they are infallible, it being an undoubted evidence that they are actually deceived who know so little the measure of their own understandings. The former can never be pretended in any thing which is a matter of controversie among men, who have not wholly forgot they are reasonable creatures, by their bringing probable arguments for the maintaining one part of an opinion as well as another. In which case, though the arguments brought be not convincing for the necessary entertaining either part to an unbiassed understanding, yet the difference of their opinions is argument sufficient that the thing contended for is not so clear as both parties would make it to be on their own side; & if it be not a thing of necessity to salvation, it gives men ground to think that a final decision of the matter in controversie, was never intended as a necessary means for the peace & unity of the Church of God. For we cannot with any shew of reason imagine that our supreme Law-giver and Saviour, who hath made it a necessary duty in all true members of his Church, to indeavour after the peace & unity of it should suspend the performance of that duty upon a matter of opinion, which when men have used their utmost endeavours to satisfie themselves about, they yet find, that those very grounds which they are most inclinable to build their judgements upon, are either wholly rejected by others as wise and able as themselves, or else it may be they erect a far different fabrick upon the very same foundations. It is no wayes consistent with the wisdom of Christ in founding his Church, and providing for the peace and settlement of it, to leave it at the mercy of mens private judgments & apprehensions of things, than which nothing is more uncertain, and thereby make it to depend upon a condition never like to be attained in this world, which is the agreement and Uniformity of mens opinions

ons. For as long as mens faces differ, their judgements will. And until there be an *Intellectus Averroisticus*, the same understanding in all persons, we have little ground to hope for such an universal Harmony in the Intellectual world; and yet even then the soul might pass a different judgement upon the colours of things, according to the different tincture of the several Optick glasses in particular bodies which it takes a Prospect of things through. Reason and experience then give us little hopes of any peace in the Church, if the unity of mens judgments be supposed the condition of it; the next inquiry then is, how the peace of the Church shall be attained or preserved when men are under such different perswasions; especially if they respect the means in order to a peace and settlement. For the wayes to peace like the fertile soils of *Greece*, have been oft times the occasion of the greatest quarrels. And no sickness is so dangerous as that when men are sick of their remedy, and nauseate that most which tends to their recovery. But while Physicians quarrel about the Method of cure, the Patient languisheth under their hands; and when men increase contentions in the behalf of peace, while they seem to court it, they destroy it. The only way left for the Churches settlement and peace under such variety of apprehensions concerning the means and Method in order to it, is to pitch upon such a foundation, if possible to be found out, whereon the different parties retaining their private apprehensions, may yet be agreed to carry on the same work in common, in order to the peace and tranquillity of the Church of God. Which cannot be by leaving all absolutely to follow their own wayes; for that were to build a *Babel* instead of *Salem*, *Confusion* instead of *Peace*; it must be then by convincing men, that neither of those wayes; to peace and order which they contend about, is necessary by way of divine command, (though some be as a means to an end) but which particular way or form it must be, is wholly left to the prudence of those in whose power and trust it is to see the peace of the Church be secured on lasting foundations. How nearly this concerns the present debate about the Government of the Church, any one may quickly discern. The main plea for forms of Government in the Church, is their

neceſſity in order to its peace and order, and yet nothing hath produced more diſorder and confuſion than our diſputes about it have done. And our ſad experience ſtill tells us that after all our debates, and the evidences brought on either ſide, men yet continue under very different apprehenſions concerning it. But if we more ſtrictly inquire into the cauſes of the great diſtances and animoſities which have riſen upon this controverſie, we ſhall find it hath not been ſo much the difference of judgments concerning the Primitive form of Government which hath divided men ſo much from one another, as the prevalency of faction and intereſt in thoſe whoſe Revenues have come from the rents of the Church, and among others of greater integrity it hath been the Principle or hypotheſis which men are apt to take for granted, without proving it, *viz.* that it is in no caſe lawful to vary from that form which by obſcure and uncertain conjectures they conceive to have been the Primitive practice. For hereby men look upon themſelves as obliged by an unalterable Law to endeavour the eſtabliſhment of that Idea of Government which oft-times affection and intereſt more than reaſon and judgment hath formed within them; and ſo likewiſe bound to overthrow any other form not ſuitable to thoſe correſpondencies which they are already engaged to maintain. If this then were the cauſe of the wounds and breaches this day among us, the moſt ſucceſsful Weapon-ſalve to heal them, will be, to anoint the ſword which hath given the wound, by a ſeaſonable inquiry into the nature and obligation of particular forms of Government in the Church. The main ſubject then of our preſent debate will be whether, any one particular form of Church Government be ſetled upon an unalterable divine right; by vertue whereof all Churches are bound perpetually to obſerve that individual form? or whether it be left to the prudence of every particular Church to agree upon that form of Government which it judgeth moſt conducible within its ſelf to attain the end of Government, the peace, order, tranquillity, ſettlement of the Church. If this latter be made fully appear, it is then evident that however mens judgements may differ concerning the Primitive form of Government, there is yet a ſure ground for

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men to proceed on in order to the Churches peace. Which one conſideration will be motive ſufficient to juſtifie an attempt of this nature, it being a deſign of ſo great importance, as the recovery of an advantagious piece of ground whereon different parties may with ſafety not only treat, but agree in order to a ſpeedy Accommodation.

§. 2. We come therefore cloſely to the buſineſs in hand, and for the better clearing of our paſſage, we ſhall firſt diſcuſs the nature of a divine right, and ſhew whereon an unalterable divine right muſt be founded, and then proceed to ſhew how far any form of Government in the Church is ſetled upon ſuch a right. Right in the general is a relative thing, and the ſignification and import of it muſt be taken from the reſpect it bears to the Law which gives it. For although in common acception it be often underſtood to be the ſame with the Law its ſelf, as it is the rule of actions (in which ſenſe *Jus naturæ, gentium, civile*, is taken for the ſeveral Laws of Nature, Nations and particular States) yet I ſay *jus*, and ſo right, is properly ſomething accruing to a perſon by vertue of that Law which is made, and ſo *jus naturæ* is that right which every man is inveſted in by the Law of nature, which is properly *jus perſonæ*, and is by ſome cali'd *jus actuum*, which is defined by *Grotius* to be *Qualitas moralis perſonæ competens ad aliquid juſte habendum aut agendum*; by *Leſſius* to be *Poteſtas Legitima ad rem aliquam obtinendam, &c.* So that by theſe deſcriptions, right is that power which a man hath by Law to do, have or obtain any thing. But the moſt full deſcription of it is given by *Martinius*, that it is *adhærens perſonæ neceſſitas vel poteſtas recta ad aliquid agendum, omittendum aut permittendum*, that whereby any perſon lies under a neceſſity of doing, omitting or ſuffering a thing to be, or elſe hath a lawful authority of doing, *&c.* For we are to conſider that there is a twofold right, either ſuch whereby a man hath liberty and freedom by the Law to do any thing; or ſuch whereby it becomes a mans neceſſary duty to do any thing. The opening of the difference of theſe two, and the different influences they have upon perſons and things, is very uſeful to our preſent purpoſe; *Jus* then is firſt that which is *juſtum*; ſo *Iſidore*, *Jus dictum quia juſtum eſt.* So whatever is juſt, men have right to do it;

τὸ δίκαιον ἀναλογόν τι. *Ariſt. Eth. l. 5. c. 6.*

Grot. de jure belli & pac. lib. 1. cap. 1. §. 4. Leſſ. de juſtit. & jure l. 2. c. 2. Dub. 1. Etymol. Philol. voc. jus.

Etymol. l. 5. cap. 3.

Now a thing may be ſaid to be juſt either more generally, as it ſignifies any thing which is lawful, or in a more reſtrained ſenſe, when it implies ſomething that is equal and due to another. So *Ariſtotle* diſtributes τὸ δίκαιον into τὸ νόμιμον & τὸ ἴσον. The former ſenſe of it is here only pertinent, as it implies any thing which may be done according to Law, that is done *jure*, becauſe a man hath right to do it. In order to this we are to obſerve that an expreſs poſitive command is not neceſſary to make a thing lawful, but a non-prohibition by a Law is ſufficient for that. For it being the nature of Laws to bound up mens rights, what is not forbidden by the Law is thereby ſuppoſed to be left in mens power ſtill to do it. So that it is to little purpoſe for men to ſeek for poſitive commands for every particular action to make it lawful; it ſufficeth to make any action lawful, if there be no bar made by any direct or conſequental prohibition: unleſs it be in ſuch things whoſe lawfulneſs and goodneſs depend upon a meer poſitive command. For in thoſe things which are therefore only good becauſe commanded, a command is neceſſary to make them lawful, as in immediate poſitive acts of worſhip towards God; in which nothing is lawful any further than it is founded upon a divine command. I ſpeak not of circumſtances belonging to the acts of worſhip, but whatever is looked upon as a part of divine worſhip if it be not commanded by God himſelf, it is no wayes acceptable to him, and therefore not lawful. So our Saviour cites that out of the Prophet, *In vain do they worſhip me, teaching for Doctrines, the commandments of men*, which the Chaldee Paraphraſt and Syriack verſion render thus, *Reverentia quam mihi exhibent, eſt ex præcepto & documento humano*, plainly imputing the reaſon of Gods rejecting their worſhip to the want of a divine command for what they did. And therefore *Tertullian* condemns all thoſe things to be *vacuæ obſervationis & ſuperſtitioni deputanda, as ſuperſtitious*, which are done *ſine ullius Dominici aut Apoſtolici præcepti autoritate, without the warrant of divine command*. Although even here we may ſay too, that it is not meerly the want of a divine precept which makes any part of divine worſhip uncommanded by God unlawful, but the general prohibition, that nothing ſhould be done in the immediate

Ethic. l. 5. cap. 2.

Mat. 15. 9. Iſa. 29. 11.

Tertull. de orat. Cap. 12. v. Herald. digreſſ. lib. 2. cap. 2. in Tertull.

diate worſhip of God, but what we have a divine command for. However in matters of meer decency and order in the Church of God, or in any other civil action of the lives of men, it is enough to make things lawful, if they are not forbidden. But againſt this, that a non-prohibition is warrant enough to make any thing lawful, this objection will be ſoon levyed, that it is an argument *ab authoritate negativè*, and therefore is of no force; To which I anſwer, that the rule if taken without limitation upon which this objection is founded, is not true; for although an argument *ab authoritate negativè* as to matter of fact avails not, yet the negative from authority as to matter of Law and command is of great force and ſtrength. I grant the argument holds not here; we do not read that ever Chriſt or his Apoſtles did ſuch a thing, therefore it is not to be done; but this, We read of no Law or precept commanding us to do it, therefore it is not unlawful not to do it; and we read of no prohibition forbidding us to do it, therefore it may be lawfully done; this holds true and good, and that upon this twofold reaſon. Firſt, from Gods intention in making known his will; which was not to record every particular fact done by himſelf, or Chriſt, or his Apoſtles, but it was to lay down thoſe general and ſtanding Laws, whereby his Church in all ages ſhould be guided and ruled: and in order to a perpetual obligation upon the conſciences, there muſt be a ſufficient promulgation of thoſe Laws which muſt bind men. Thus in the caſe of Infant baptiſm, it is a very weak unconcluding argument to ſay that Infants muſt not be baptized, becauſe we never read that Chriſt or his Apoſtles did it; for this is a negative in matter of fact; but on the other ſide it is an evidence that infants are not to be excluded from baptiſm, becauſe there is no divine Law which doth prohibit their admiſſion into the Church by it; for this is the negative of a Law; and if it had been Chriſts intention to have excluded any from admiſſion into the Church who were admitted before as Infants were, there muſt have been ſome poſitive Law whereby ſuch an intention of Chriſt ſhould have been expreſſed; For nothing can make that unlawful which was a duty before, but a direct and expreſs prohibition from the Legiſlator himſelf,

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who alone hath power to reſcind as well as to make Laws And therefore Antipædobaptiſts muſt inſtead of requiring a poſitive command for baptizing Infants, themſelves produce an expreſs prohibition excluding them, or there can be no appearance of reaſon given why the Goſpel ſhould exclude any from theſe priviledges, which the Law admitted them to. Secondly, I argue from the intention and end of Laws, which is to circumſcribe and reſtrain the natural liberty of man, by binding him to the obſervation of ſome particular precepts. And therefore where there is not a particular command and prohibition, it is in nature and reaſon ſuppoſed that men are left to their natural freedom; as is plain in poſitive humane Laws; wherein men by compact and agreement for their mutual good in ſocieties were willing to reſtrain themſelves from thoſe things which ſhould prejudice the good of the community; this being the ground of mens firſt incloſing their rights and common priviledges, it muſt be ſuppoſed, that what is not ſo incloſed, is left common to all as their juſt right and priviledge ſtill. So it is in divine poſitive Laws, God intending to bring ſome of Mankind to happineſs by conditions of his own appointing, hath laid down many poſitive precepts, binding men to the practice of thoſe things as duties which are commanded by him. But where we find no command for performance, we cannot look upon that as an immediate duty, becauſe of the neceſſary relation between duty and Law; and ſo where we find no prohibition, there we can have no ground to think that men are debarred from the liberty of doing things not forbidden. For as we ſay of exceptions as to general Laws and rules, that an exception expreſſed *firmat regulam in non exceptis*, makes the rule ſtronger in things not expreſſed as excepted; ſo it is as to divine prohibitions; as to the poſitives, that thoſe prohibitions we read in Scripture make other things not prohibited to be therefore lawful, becauſe not expreſly forbidden. As Gods forbidding *Adam* to taſte of the fruit of one tree did give him a liberty to taſte of all the reſt. Indeed, had not God at all revealed his will and Laws to us by his word, there might have been ſome plea why men ſhould have waited for particular revelations to dictate the goodneſs or evil of particular actions, not determined

determined by the law of nature; but since God hath revealed his will, there can be no reason given why those things should not be lawfull to do, which God hath not thought fit to forbid men the doing of. Further we are to observe that in these things which are thus undetermined in reference to an obligation to duty, but left to our natural liberty as things lawful, the contrary to that which is thus lawful, is not thereby made unlawful. But both parts are left in mens power to do, or not to do them; as is evident in all those things which carry a general equity with them, and are therefore consonant to the Law of nature, but have no particular obligation, as not flowing immediately from any dictate of the natural Law. Thus community of goods is lawful by the law and principles of nature, yet every man hath a lawful right to his goods by dominion and propriety. And in a state of Community it was the right of every man to impropriate upon a just equality, supposing a preceeding compact and mutual agreement. Whence it is that some of the School-men say that although the Law of nature be immutable as to its precepts and prohibitions, yet not as to its demonstrations (as they call them) as, *Do, as you would be done to*, bind always indispensably; but *that in a state of nature all things are common to all*; This is true, but it binds not men to the necessary observance of it. These which they call demonstrations are only such things as are agreeable to nature, but not particularly commanded by any indispensable precept of it. Thus likewise it is agreeable to nature that the next of the kindred should be heir to him who dies intestate, but he may lawfully wave his interest if he please. Now to apply this to our present case; According to this sense of *jus* for that which is lawful; those things may be said to be *jure divino* which are not determined one way or other by any positive Law of God, but are left wholly as things lawful, to the prudence of men to determine them in a way agreeable to natural light, and the general rules of the word of God. In which sense I assert any particular form of Government agreed on by the Governours of the Church, consonant to the general rules of Scripture, to be by Divine right. *i. e.* God by his own laws hath given men a power and liberty to determine the particu-

Alex. Alensis. part. 3. q. 27. m. 3.

lar form of Church Government among them. And hence it may appear that though one form of Government be agreeable to the word, it doth not follow that another is not; or becauſe one is lawful, another is unlawful; but one form may be more agreeable to ſome parts, places, people and times than others are. In which caſe that form of Government is to be ſetled which is moſt agreeable to the preſent ſtate of a place, and is moſt advantagiouſly conducible to the promoting the ends of Church-Government in that place or Nation. I conclude then according to this ſenſe of *jus*, that the *Ratio regiminis Eccleſiaſtici* is *juris divini naturalis*, *that is*, that the reaſon of Church-Government is immutable, and holds in all times and places, which is the preſervation of the peace and unity of the Church: but the *modus regiminis Eccleſiaſtici*, the particular form of that Government is *juris divini permiſſivi*, that both the Laws of God and nature have left it to the Prudence of particular Churches to determine it. This may be cleared by a parallel inſtance. The reaſon and the ſcience of Phyſick is immutable, but the particular preſcriptions of that ſcience are much varied, according to the different tempers of Patients. And the very ſame reaſon in Phyſick which preſcribes one ſort of Phyſick to one, doth preſcribe a different ſort to another, becauſe the temper or diſeaſe of the one calls for a different method of cure, yet the ground and end of both preſcriptions was the very ſame, to recover the Patient from his diſtemper. So I ſay in our preſent caſe; the Ground and reaſon of Government in the Church is unalterable *by divine right*, yea and that very reaſon which determines the particular forms; but yet thoſe particular forms flowing from that immutable reaſon, may be very different in themſelves, and may alter according to the ſeveral circumſtances of times, and places, and perſons, for the more commodious advancing the main end of Government. As in morality there can be but one thing to a man *in genere ſummi boni*, as the chief good, *quo tendit & in quod dirigit arcum*——to which he refers all other things, yet there may be many things *in genere boni conducentis*, as means in order to attaining that end. So though Church-Government vary not as to the ground, end and reaſon of it, yet it may as to the particular forms of it:

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As is further evident as to forms of civil Government, though the end of all be the same, yet Monarchy, Aristocracy, and Democracy are in themselves lawful means for the attaining the same common end. And as *Alensis* determines it in the case of Community of goods by the Law of nature, that the same reason of the Law of nature which did dictate community of goods to be most suitable to man in the state of innocency, did in his faln estate prescribe a propriety of goods, as most agreeable to it; so that herein the *modus observantiæ* differed, but the *ratio præcepti* was the same still; which was mans comfortable enjoyment of the Accomodations of life: which in innocency might have been best done by community, but in mans degenerate condition, must be by a propriety. So the same reason of Church-Goverment may call for an equality in the persons, acting as Governours of the Church in one place, which may call for superiority and subordination in another.

Having now dispatched the first sense of a divine right, I come to the other, which is the main seat of the controversie, and therefore will require a longer debate. And so *jus* is that which makes a thing to become a duty: so *jus quasi jussum*, and *jussa jura*, as *Festus* explains it, *i. e.* that whereby a thing is not only *licitum*, in mens lawfull power to do it or no, but is made *debitum* and is constituted a duty by the force and vertue of a divine command. Now mans obligation to any thing as a duty doth suppose on the part of him from whose authority he derives his obligation, both *legislation* and *promulgation*. First there must be a *legislative power* commanding it; which if it respects only the outward actions of a man in a Nation imbodied by Laws, is the supreme Magistrate; but if the obligation respect the consciences of all men directly and immediately, then none have the power to settle any thing by way of an universal standing Law, but God himself: Who by being sole Creator and Governour of the world, hath alone absolute and independent Dominion and authority over the souls of men. But besides legislation, another thing necessary to mans obligation to duty, is a *sufficient promulgation* of the Law made; Because though before this there be the ground of obedience on mans part to all Gods commands, yet there §. 3.

must be a particular declaration of the Laws, whereby man is bound in order to the determination of Mans duty. Which in positives is so absolutely necessary, that unless there be a sufficient promulgation and declaration of the will of the Law-giver, mans ignorance is excusable in reference to them, and so frees from guilt and the obligation to punishment; but it is otherwise in reference to the dictates of the natural Law, wherein though man be at a loss for them, yet his own contracted pravity being the cause of his blindness, leaves him without excuse. Hence it is said with good reason, that though man under the moral Law, was bound to obey Gospel-precepts, as to the reason and substance of the duties by them commanded, as Faith, Repentance from dead works, and New obedience; yet a more full and particular revelation by the Gospel was necessary, for the particular determination of the general acts of obedience, to particular objects under their several Modifications expressed in the Gospel. And therefore faith and repentance under the moral Law, taken as a transcript of the Law of Nature, were required under their general notion as acts of obedience, but not in that particular relation which those acts have under the Covenant of Grace, Which particular determination of the general acts to special objects under different respects, some call New precepts of the Gospel, others New light; but taking that light as it hath an influence upon the consciences of men, the difference is so small, that it deserves not to be named a Controversie.

But that which I am now clearing is this, that whatsoever binds Christians as an universal standing Law, must be clearly revealed as such, and laid down in Scripture in such evident terms, as all who have their senses exercised therein, may discern it to have been the will of Christ, that it should perpetually oblige all believers to the Worlds end, as is clear in the case of Baptism, and the Lords supper. But here I shall add one thing by way of caution; That there is not the same necessity for a particular and clear revelation in the *alteration* of a *Law unrepealed* in some circumstances of it, as there is for the establishing of a *New Law*. As to the former, *viz.* the change of a standing Law as to some particular circum-

cumſtance, a different practice by perſons guided by an infallible ſpirit is ſufficient; which is the caſe as to the obſervation of the Lords day under the Goſpel: For the fourth Command ſtanding in force as to the Morality of it, a different practice by the Apoſtles may be ſufficient for the particular determination of the more ritual and occaſional part of it, which was the limitation of the obſervation of it to that certain day. So likewiſe that other Law ſtanding in force, that perſons taken into Covenant with God ſhould be admitted by ſome viſible ſign, Apoſtolical practice clearly manifeſted, may be ſufficient ground to conclude what the mind of Chriſt was, as to the application of it to particular perſons; and what qualifications are requiſite in ſuch as are capable of admiſſion, as in the caſe of Infants. Whereby it is clear why there is no particular Law or command in reference to them under the Goſpel, becauſe it was only the application of a Law in force already to particular perſons, which might be gathered ſufficiently from the Apoſtles practice, the Analogy of the diſpenſation, the equal reaſon of excluſion under the Law, and yet notwithſtanding the continual admiſſion of them then into the ſame Goſpel-Covenant; Circumciſion being the ſeal of the righteouſneſs of faith. But this by the way to prevent miſtakes. We muſt now by parity of reaſon ſay, that either the former Law, in thoſe things wherein it was not typical, muſt hold in reference to the form of Government in the Church of Chriſt, or elſe that Chriſt by an univerſal Law hath ſetled all order in Church Government among the Paſtors themſelves; or elſe that he hath left it to the prudence of every particular Church, to determine its own form of Government, which I conceive is the direct ſtate of the Queſtion about Divine Right, *viz.* Whether the particular form of Government in the Church be ſetled by an univerſal binding Law or no? Rom. 4. 8.

§. 4. But for a further clearing the ſtate of the queſtion, we muſt conſider what it is that makes an unalterable Divine Right, or a ſtanding Law in the Church of God: for thoſe who found forms of Government upon a Divine Right, do not plead a Law in expreſs terms, but ſuch things from whence a Divine Right by Law may be inferred. Which I now

now come to examine; and that which I lay down as a *Poſtulatum*, or a certain concluſion according to which I ſhall examine others aſſertions concerning Divine Right, is, That nothing is founded upon a Divine Right, nor can bind Chriſtians directly or conſequentially as a poſitive Law, but what may be certainly known to have come from God, with an intention to oblige believers to the worlds end. For either we muſt ſay it binds Chriſtians as a Law when God did not intend it ſhould, or elſe Gods intentions to bind all believers by it muſt be clearly manifeſted. Now then, ſo many ways and no more as a thing may be known to come from God with an intention to oblige all perpetually, a thing may be ſaid to be of an unalterable Divine Right; and thoſe can be no more than theſe two, Either by the Law of Nature, or by ſome poſitive Law of God: Nothing elſe can bind univerſally and perpetually but one of theſe two, or by vertue of them, as ſhall be made appear. I begin with the Law of Nature. The Law of Nature binds indiſpenſably, as it depends not upon any arbitrary conſtitutions, but is founded upon the intrinſecal nature of good and evil in the things themſelves, antecedently to any poſitive declaration of Gods will. So that till the nature of good and evil be changed, that Law is unalterable as to its obligation. When, I ſay, the Law of Nature is indiſpenſable, my meaning is, that in thoſe things which immediately flow from that Law by way of precept, as the three firſt commands of the Moral Law, no man can by any poſitive Law be exempted from his obligation to do them; neither by any abrogation of the Laws themſelves, nor by derogation from them, nor interpretation of them, nor change in the object, matter, or circumſtance, whatſoever it be. Now although the *formal reaſon* of mans obedience to the precepts of this Law, be the conformity which the things commanded have to the Divine Nature and goodneſs, yet I conceive *the efficient cauſe* of mans *obligation* to theſe things, is to be fetched from the Will, Command, and pleaſure of God: Not as it is taken for an arbitrary poſitive will, but as it is executive of Divine purpoſes, and as it engraves ſuch a Law upon the hearts of men. For notwithſtanding mans reaſon, conſidered in it ſelf, be the chieſeſt inſtrument of diſcovery what

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are these necessary duties of humane nature (in which sense *Aristotle* defines a natural Law to be that which πανταχοῦ τὴν αὐτὴν ἔχει δύναμιν, hath every where the same force and strength, *i. e.* as *Andronicus Rhodius* very well interprets it, παρ' ἀνθρώποις πᾶσι τὰ ὀρθῶς καὶ ὑγιῶς ἔχοντα, ἃ δὴ τοῖς νοῦν τὰς φρένας καὶ διεσκεμμένοις, *among all that have the free use of their reason and faculties*) yet I say, it is not bare reason which binds men to the doing of those things commanded in that Law, but as it is expressive of an eternal Law, and deduceth its obligation from thence. And so this Law, if we respect the rise, extent, and immutability of it, may be call'd deservedly the Law of Nature; but if we look at the emanation, efflux, and original of it, it is a divine Law, and so it is call'd by *Molina*, *Alphonsus à Castro*, and others. For the sanction of this Law of Nature, as well as others, depends upon the will of God, and therefore the obligation must come from him, it being in the power of no other to punish for the breach of a Law, but those who had the Legislative power to cause the obligation to it. It appears then from hence, that whatever by just consequence can be deduced from the preceptive Law of Nature, is of Divine Right, because from the very nature of that Law (it being indispensable) it appears that God had an intent to oblige all persons in the world by it.

Ethic. l. 5. cap. 10.

V. Selden. de jure nat. apud Ebr. l. 1. c. 7, & 8. Mol. de just. & jur. p. 1. disp. 3. Alphons. de leg. pur. l. 2. c. 14.

§. 5. The second way whereby we may know what is of Divine Right, is by Gods positive Laws; for God, being the Supream Governour of the world, hath the Legislative power in his hands, to bind to the performance of what duties he please, which carry no repugnancy in them to his Divine Nature and goodness. Hence arise all those positive Laws of God which we have in Scripture; for Gods end in his written Law was, that man should have a copy of all Divine constitutions by him, that he might therein read what his duty was toward his Maker. The precepts of the Law of Nature, are by the Jews call'd משפטים and מצות absolutely, without any addition; because they are of such things as do perpetually bind, which because they are known to all by natural light, they sometimes call them מצות הידיעה *praecepta scientiae*; and being that their righteousness is so evident and apparent, they call them דברים המישרים *verba rectitudinis*:

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but the cleareſt difference between the precepts of the Law of Nature, and other poſitive commands, is that which the famous *Iſ. Caſaubon* takes notice of out of the Jewiſh Doctors. *Obſervant doctiſſimi è Rabbinis inter* חוקים & משפטים *hanc eſſe differentiam, quod* Mitſvoth, *ſive præceptorum ratio aperta eſt, ut Deum cole, honora patrem & matrem, at* Chukin *ſtatuta ſive decreta earum rerum eſſe dicunt quarum* טעם *ratio ſoli Deo ſit nota, ut circumciſionis & ſimilium.* The reaſon of the Laws of Nature is evident, but of poſitive Laws there is no reaſon to be given אינו אלא גזירת מלך *non eſt alia præter decretum regis*: no other account to be given of them but the will of God. The Laws of Nature are by the LXX. often call'd δικαιώματα, and ſo uſed, *Rom.* 2. 16. by *Juſtin Martyr*, τὰ καθόλου καὶ φύσει καὶ αἰώνια κάλα· by *Joſephus*, τῆς φύσεως δικαιώματα· but Gods poſitive Laws are call'd ἐντολαὶ, thence we read of *Zachary* and *Elizabeth*, Luke 1. 6. πορευόμενοι ἐν πάσαις ταῖς ἐντολαῖς καὶ δικαιώμασι, *&c. walking in all the ordinances and commandments of God blameleſs*, and thoſe are call'd νόμῳ ἐντολῶν ἐν δόγμασι, by *S. Paul*, Epheſ. 2. 15. *The Law of commandments in ordinances.* Now although this difference be not always obſerved in the words in Scripture, yet there is a vaſt difference between the things themſelves, though both equally commanded by God. That which is moſt to our preſent purpoſe to obſerve, is, that poſitives being mutable and alterable in themſelves, a bare Divine command is not ſufficient to make them immutable, unleſs there be likewiſe expreſſed, that it is the will of God, that they ſhould always continue. This was that which the Jews ſtumbled at ſo much, and do to this day, becauſe they are aſſured their Law came once from God, therefore it muſt of neceſſity have a perpetual obligation: as may be ſeen in their two great Doctors *Maimonides* and *Abarbinel*, who both of them make the eternity of the Law one of the fundamental Articles of their Creed. But *Abarbinel* ſplits this Article into two; whereof the firſt is, that the Law of *Moſes* ſhall never be changed; the other, that no other Law ſhall come in ſtead of it. The original of which grand errour is from want of obſerving the difference between things commanded by God, ſome of which are good, and therefore com-

Exercit. Eccleſ. adverſ. Bar. exer. 16. ſect. 43.

Seld. de jure Nat. apud Ebr. l. 1. cap. 10.

Colloq. cum Tryph. Judæo. Origen. lib. 16. cap. 10. V. Grot. in Luc. 1. 6.

Maimon. de fundam. legis, cap. 9. ſect. 1. Abarb. de Capit. fidei, cap. 8. p. 29. Ed. Vorſtii.

commanded; others commanded, and therefore good. In which latter, if the reason of the command ceaseth, the command its self obligeth no longer. As the ceremonial Law was to be their παιδαγωγὸς εἰς χριστὸν, which is not meant in regard of the sharp severe nature of the Law to drive them unto Christ, as it is by many interpreted, but the Law is a Pædagogue in regard of its tutorage and conduct, as it signified him whose office it was to conduct Noblemens Children to the School (as a learned man observes) This being then the office of the Law, when the Church was now entred into Christs School, the office of this Pædagogue then ceased. And so the ceremonial Law needed no abrogation at all, expiring of its self at Christs coming, as Laws made for the times of war do when peace comes. Only because the Jews were so hardly perswaded that it should expire (the believing Jews conceiving at first the Gospel came rather to help them to obey the Law of *Moses* than to cancel the obligation of it) therefore it was necessary that a more honourable burial should be given to it, and the Apostles should *pro rostris* declare more fully that believers were freed from that Yoke of ceremonies, under which the neck of their fore-fathers had groaned so long. It appears then that a positive Law coming from God doth not meerly by vertue of its being enacted by God, bind perpetually all persons unless there be a declaration of Gods will adjoyned, that it should do so. Gal. 3. 24.

§. 6. It will be here then well worth our inquiry to find out some χριτηρια or notes of difference whereby to know when positive laws bind immutably, when not; I shall lay down these following. First, when the same reason of the command continues still, then we cannot conceive how that which was instituted upon such an account as remains still, should not have the same force now which it had at first. That positive Law under which *Adam* was in his state of innocency touching the forbidden fruit, did not bind any longer than his fall; because the reason of the command ceased, which was the tryal of mans obedience: For which, God made choice of a very facile and ease command, according to that rule of Politicians, *In minimis obedientiæ periculum faciunt Legislatores*, of which they give this rational account, *Quia legislatoris*

vis ad obedientiam obligantis potius habenda est ratio quam rei de quâ lex est lata: thence arose that Law of the *Ephori* at Sparta, *barbam tondere*, to which no other reason was annexed but this, *obtemperare legibus*, to learn them to obey the Laws. This was Gods aim in that easie command given to *Adam*, to make thereon an experiment of mans willingness to obey his maker, and wherein man soon lost that *Obsequii gloria*, as he in *Tacitus* calls it, which as *Pliny* saith is *in eo major quod quis minus velit*. But had this Law been a standing Law for all mankind, it would have continued its obligation still; but since we see that it was only a personal, temporary, probative precept; for no sooner was man fallen but its obligation ceased. So likewise those precepts of the Judicial Law which immeately respected the Common-wealth of the Jews as such, their obligation reacheth not to Christians at all, nor (as it is generally conceived) to the Jews themselves, when out of the Confines of their own countrey, because the reason of those Laws doth neither descend to Christians, nor did travel abroad with the Jews. But those judicial Laws which are founded upon common equity do bind still, not by vertue of that *sanction*, but by virtue of common principles of equity, which certainly in the present shortness of humane reason cannot be fetched from a clearer fountain than those Laws which once came from the fountain of goodness: none of whose constitutions can any waies be supposed to deviate from the exactest rules of justice and equity. And upon this very ground too, some part of the fourth commandment is abrogated, and the other continues to bind still; For the reason of the ceremonial and occasional part is ceased, and the reason of what was moral, continues. Therefore the School-men say right of the Sabbath day, *Cultus est à naturâ, modus à lege, virtus à Gratiâ*. Nature dictates that God should be worshipped, the Law informs what day and time to spend in his worship, Grace must enable us to perform that worship on that day in a right manner. And because the same reason for Gods worship continues still, therefore it is a precept of the natural Law, that God should be worshipped. What time precisely must be spent in Gods worship (as one day in seven) though the reason be evident to the nature of it when it is made known, yet

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it is hard to conceive that nature could have found out the precise determination of the time. Although I must confess the general consent of nations, as to the seventh part, (if it were fully cleared) would speak fair to be the voice of nature, or at least a tradition received from the Sons of *Noah*, which, if so, will be an evidence of the observation of the Sabbath before the Children of Israels being in the Wilderness. But granting that the seventh part of time was a positive Law of God, yet I say it binds immutably, because there is as strong a reason for it now as ever, and *ratio immutabilis præcepti, facit præceptum immutabile.* This I take to be the sense of those who distinguish between *morale positivum*, and *morale naturale, i.e.* that some things are so moral, that even nature its self can discover them, as that God should be worshipped. Other things are so moral, that though the reason of them be founded in nature, yet there wants divine revelation to discover them to us; but when once discovered, are discerned to be very agreeable to common principles of reason: And these when thus discovered, are as immutably obligatory as the other, because the reason of them is immutable. And of this nature is the determination of the particular time for Gods worship, and limitation of it to one day in seven. But what was in that precept meerly occasional, as the first and original ground of its limitation to the seventh in order, *Gods resting on that day from the work of Creation*, and the further ground of its inforcement to the Jews, viz. *their deliverance out of Egypt*; these being not immutable but temporary and occasional, may upon as great ground given, and approved of God for that end (as is evident by the Apostles practice) be sufficient reason of the alteration of the seventh day to the first day of the week. By this may briefly be seen how irrationally those speak, who say we have no further ground for our observation of the Lords day now, than for other arbitrary Festivals in the Church, *viz.* The tradition of the Church of God. I grant, the tradition of the Church doth acquaint us with Apostolical practice, but the ground of our observation of the Lords day, is not the Churches tradition, but that Apostolical practice conveyed by universal Tradition) which setting aside the Festivals observed upon the Lords day, can very hardly be found for any other.) But supposing universal tradition

Gen. 2. 2.
Deut. 5. 15.

for other Feſtivals, I ſay here tradition is not only uſed as a teſtimony and inſtrument of conveyance, as in the other caſe of the Lords day; but is it ſelf the only argument, and the very ground of the original obſervation: Between which two, what a wide difference there is, let any rational man judge. But for a further clearing this obſervation, we muſt conſider, that the reaſon of the command, which we ſay is the meaſure of its obligation, muſt not be fetched from mens uncertain conjectures) among whom dreams often paſs for reaſons) but it muſt be either expreſſed in the Law its ſelf, or deducible by apparent and eaſie collection from it; as is plain in the decrees of the Apoſtles about *things ſtrangled,* Act. 15. 29. *and offered to Idols,* where the reaſon of the command is plainly implied, to wit, for preſent compliance with the Jews; and therefore no ſooner did the reaſon of the command ceaſe, but the obligation of it ceaſed too: but of this more afterwards. This is one way then to diſcern the difference between poſitive Laws, as to the obligation of them, by the ground and reaſon of the command. And therefore it is well obſerved by Divines (which further confirms what I now prove) that no command doth bind againſt the reaſon of the command; becauſe it is not the words, but the ſence and reaſon of a command which hath the greateſt obligatory force. Therefore *Tully* tells us that the *ratio juris & legiſlatoris conſilium,* is the beſt interpreter of any Law: who excellently and largely proves that the reaſon of the Law is the Law, and not the words. So much for the firſt rule. *Orat. pro A. Cæcin.*

§. 7. Secondly, Another way to know when poſitive Laws are immutable, is, when Gods will is expreſly declared that ſuch Laws ſhall bind immutably. For it being granted on all hands that God may bind us to thoſe things which are left indifferent by the Law of nature, and likewiſe for what term he pleaſe; the only inquiry left, is to ſee in his word whether he hath ſo bound us or no; and if he hath, whether he hath left it in mans power to revoke his laws. For as to poſitive Laws expreſly laid down in Scripture, the ground of which is only as the Jews ſpeak רצון מלך *the will of the King, i. e.* Gods own pleaſure, without any reaſon or occaſion of it ſelf expreſſed or neceſſarily implied, theſe do bind immutably, unleſs the ſame power which commanded them, doth

doth again revoke them. For we cannot in any wiſe conceive that the wiſe God ſhould after the declaring his own will, leave it in the power of any corrupt fallible being to determine, or diſpenſe with the obligation of his own Laws. Which to do, and inſtead of them to enforce others immediately upon the conſciences of men, as ſtanding Laws, is an attempt beyond that of the Gyants againſt Heaven (or the men at *Babel*) that being only an affectation of reaching Heaven, but this an actual uſurpation of Gods ſupreme and legiſlative power and authority. But though man hath not, God always reſerves to himſelf a power to relax, interpret, and diſpence with his own poſitive Laws, which imply no repugnancy to his own nature. And this power is always to be underſtood in all Laws to be reſerved to God, where he hath not himſelf declared that he will not uſe it; which is done either by the annexing an oath or a promiſe, which the Apoſtle calls the *two immutable things in which it is impoſſible for God to lie.* Heb. 6. 18. For though God be free to promiſe, yet when he hath promiſed, his own nature and faithfulneſs binds him to performance; in which ſenſe I underſtand thoſe who ſay, God in making promiſes is bound only to himſelf, and not to men; that is, that the ground of performance ariſeth from Gods faithfulneſs. For elſe if we reſpect the right coming by the promiſe, that muſt immediately reſpect the perſon to whom it is made, and in reſpect of which we commonly ſay that the promiſer is bound to performance. But the caſe is otherwiſe in penal Laws, which though never ſo ſtrict, do imply a power of *relaxation* in the Legiſlator: becauſe penal Laws do only conſtitute the *debitum pœnæ*, and bind the ſinner over to puniſhment, but do not bind the Legiſlator to an actual execution upon the debt. Which is the ground that the perſon of a Mediator was admittable in the place of fallen man, becauſe it was a penal Law, and therefore relaxable. But becauſe the debt of puniſhment is immediately contracted upon the breach of the Law, therefore ſatisfaction was neceſſary to God as Law-giver, either by the perſon himſelf, or another for him; becauſe it was not conſiſtent with the holineſs of Gods nature and his wiſdom as Governor, to relax an eſtabliſhed Law, without valuable conſideration.

Now for the third kind of Gods Laws, beſides promiſſory and penal, *viz.* ſuch as are meerly poſitive reſpecting duties, which become ſuch by vertue of an expreſs command: theſe, though they be revocable in themſelves, yet being revocable only by God himſelf, and his own power, ſince he hath already in his word fully revealed his will, unleſs therein he hath declared when their obligation ſhall ceaſe, they continue irreverſible. This is the caſe as to the Sacraments of the New Teſtament, which being commands meerly poſitive, yet Chriſt commanding Chriſtians as Chriſtians to obſerve them, and not as Chriſtians of the firſt and ſecond ages of the Church, his mind can be no otherwiſe interpreted concerning them, than that he did intend immutably to bind all Chriſtians to the obſervance of them. For although the Socinians ſay, that baptiſm was only a Rite inſtituted by Chriſt for the paſſing men from Judaiſm and Gentiliſm to Chriſtianity, yet we are not bound to look upon all as reaſon that comes from thoſe who profeſs themſelves the admirers of it. For Chriſts command nowhere implying ſuch a limitation; and an outward viſible profeſſion of Chriſtianity being a duty now, and the Covenant entred into by that Rite of initiation, as obligatory as ever, we have no reaſon to think that Chriſts command doth not reach us now, eſpecially the promiſe being made to as many as God ſhall call, and conſequently the ſame duty required which was then in order to the obtaining of the ſame ends. A third way to diſcern the immutability of poſitive Laws, is, when the things commanded in particular are neceſſary to the being, ſucceſſion, and continuance of ſuch a ſociety of men profeſſing the Goſpel, as is inſtituted and approved by Chriſt himſelf. For Chriſt muſt be ſuppoſed to have the power himſelf to order what ſociety he pleaſe, and appoint what orders he pleaſe to be obſerved by them; what Rites and Ceremonies to be uſed in admiſſion of Members into his Church, in their continuing in it; in the way, means, manner of ejection out of it; in the preſerving the ſucceſſion of his Church, and the adminiſtration of ordinances of his appointment. Theſe being thus neceſſary for the maintaining and upholding this ſociety, they are thereby of a nature as unalterable, as the duty of obſerving what Chriſt hath commanded

Catech. Racov. cap. 4.

Acts 3.38.

manded is. How much theſe things concern the reſolution of the Queſtion propoſed, will appear afterwards. Thus we have gained a reſolution of the ſecond thing, whereon an unalterable Divine Right is founded; *viz.* either upon the dictates of the Law of Nature, concurring with the rules of the written word; or upon expreſs poſitive Laws of God, whoſe reaſon is immutable, or which God hath declared ſhall continue, as neceſſary to the being of the Church.

§. 8. The next thing is to examine the other pretences which are brought for a Divine Right; which are either *Scripture examples*, or *Divine acts*, or *Divine approbation*. For *Scripture examples*: Firſt, I take it for granted on all hands, that all Scripture examples do not bind us to follow them; ſuch are the Mediatory acts of Chriſt, the Heroical acts of extraordinary perſons, all accidental and occaſional actions. Example doth not bind us as an example; for then all examples are to be followed, and ſo we ſhall of neceſſity go *qua itur, non qua eundum*, walk by the moſt examples, and not by rule. There is then no obligatory force in example it ſelf. Secondly, there muſt be then ſome rule fixed to know when examples bind, and when not: for otherwiſe there can be no diſcrimination put between examples which we are to follow, and which to avoid. This rule muſt be either immediately *obligatory*, making it a duty to follow ſuch examples, or elſe *directive*, declaring what examples are to be followed: And yet even this latter doth imply as well as the former, that the following theſe examples thus declared, is become a duty. There can be no duty without a Law making it to be a duty: and conſequently, it is the Law making it to be a duty to follow ſuch examples, which gives a Divine Right to thoſe examples, and not barely the examples themſelves. We are bound to follow Chriſts example, not barely becauſe he did ſuch and ſuch things, (for many things he did we are not bound to follow him in) but becauſe he himſelf hath by a command made it our duty to follow him in his humility, patience, ſelf denyal, *&c.* and in whatever things are ſet out in Scripture for our imitation. When men ſpeak then with ſo much confidence, that Scripture examples do bind us unalterably, they either mean that the example it ſelf makes it a duty, which I have ſhewn

Matth. 11. 28. 1 Joh. 2. 6. 1 Pet. 2. 22.

ſhewn already to be abſurd; or elſe that the moral nature of the action done in that example, or elſe the Law making it our duty to follow the example, though in it ſelf it be of no moral nature. If the *former* of theſe two, then it is the morality of the action binds us, without its being *incarnate* in the example: For the example in actions not moral, binds not at all, and therefore the example binds only by vertue of the morality of it, and conſequently, it is the morality of the action which binds, and not the example. If the *latter*, the rule making it our duty, then it is more apparent that it is not the example which binds neceſſarily, but that rule which makes it a duty to follow it; for examples in indifferent things do not bind without a Law making it to be a duty: And ſo it evidently appears, that all obligatory force is taken off from the examples themſelves; and reſolved into one of the two former, the moral nature of the action, or a poſitive Law. And therefore thoſe who plead the obligatory nature of Scripture examples, muſt either produce the moral nature of theſe examples, or elſe a rule binding us to follow thoſe examples. Eſpecially, when theſe examples are brought to found a New poſitive Law, obliging all Chriſtians neceſſarily to the end of the world. Concerning the binding nature of Apoſtolical practice, I ſhall diſcourſe largely afterwards. The next thing pleaded for a Divine Right, is by *Divine Acts*. As to this, it is again evident that all Divine Acts do not conſtitute ſuch a Right; therefore there muſt be ſomething expreſſed in thoſe Acts when ſuch a Divine Right follows them; whence we may infallibly gather, it was Gods intention they ſhould perpetually oblige: as is plain in the caſes inſtanced in the moſt for this purpoſe; as Gods reſting on the ſeventh day, making the Sabbath perpetual: For it
Gen. 2. 2. was not Gods reſting that made it the Sabbath, for that is only expreſſed as the occaſion of its inſtitution; but it was Gods ſanctifying the day, that is, by a Law ſetting it apart for his own ſervice, which made it a duty. And ſo Chriſts reſurrection was not it which made the Lords day Sabbath of Divine Right; but Chriſts reſurrection was the occaſion of the Apoſtles altering only a circumſtantial part of a moral duty already; which being done upon ſo great reaſons, and by perſons

persons endued with an infallible spirit, thereby it becomes our duty to observe that moral command in this limitation of time. But here it is further necessary to distinguish between acts meerly *positive*, and acts *donative* or *legal*. The former confer no right at all, but the latter do; not barely as acts, but as legal acts, that is, by some declaration that those acts do confer right. And so it it is in all donations, and therefore in Law the bare delivery of a thing to another doth not give a legal title to it, without expres transferring of dominion and propriety with it. Thus in Christs delivering the Keys to *Peter* and the rest of the Apostles, by that act I grant the Apostles had the power of the Keys by Divine Right; but then it was not any bare act of Christ which did it, but it was only the declaration of Christs will conferring that authority upon them. Again, we must distinguish between a *right* conferr'd by a *donative act*, and the *unalterable nature* of that Right; for it is plain there may be a Right *personal* as well as *successive*, *derivative*, and *perpetual*. And therefore it is not enough to prove that a Right was given by any act of Christ, unless it be made appear it was Christs intention that Right should be perpetual, if it oblige still. For otherwise the *extent of the Apostolical commission*, *the power of working miracles*, as well as *the power of the Keys* (whether by it we mean a power declarative of duty, or a power authoritative and penal) must continue still, if a difference be not made between these two: And some rule found out to know when the Right conferr'd by Divine Acts is personal, when successive; which rule thus found out, must make the Right unalterable, and so concerning us, and not the bare donative act of Christ: For it is evident they were all equally conferr'd upon the Apostles by an act of Christ; and if some continue still, and others do not, then the bare act of Christ doth not make an unalterable Divine Right. And so though it be proved that the Apostles had superiority of order and jurisdiction over the Pastors of the Church by an act of Christ, yet it must further be proved, that it was Christs intention that superiority should continue in their successors, or it makes nothing to the purpose. But this argument I confess, I see not how those who make a necessary Divine Right

Matth. 16. 19. 18. 18.

to follow upon the acts of Christ, can possibly avoid the force of. The last thing pleaded for Divine Right, is *Divine approbation*, but this least of all constitutes a Divine Right: For if the actions be extraordinary, Gods approbation of them as such, cannot make them an ordinary duty. In all other actions which are good, and therefore only commendable, they must be so, either because done in conformity to Gods revealed will, or to the nature of things good in themselves. In the one it is the positive Law of God, in the other the Law of Nature, which made the action good, and so approved by God, and on that account we are bound to do it. For God will certainly approve of nothing but what is done according to his will revealed, or natural; which will and Law of his, is that which makes any thing to be of Divine Right, *i. e.* perpetually binding, as to the observation of it. But for acts of a meerly positive Nature, which we read Gods approbation of in Scripture, by vertue of which approbation those actions do oblige us; in this case I say it is not Gods meer approbation that makes the obligation, but as that approbation so recorded in Scripture, is a sufficient testimony and declaration of Gods intention to oblige men: And so it comes to be a positive Law, which is nothing else but a sufficient declaration of the Legislators will and intention, to bind in particular actions and cases. Thus now we have cleared whereon a necessary and unalterable Divine Right must be founded; either upon the Law of Nature, or some positive Law of God, sufficiently declared to be perpetually binding.

CHAP.

CHAP. II.

Six Hypotheſes laid down, as the baſis of the following Diſcourſe. 1. *The irreverſible obligation of the Law of Nature, either by humane, or Divine poſitive Laws, in things immediately flowing from it.* 2. *Things agreeable to the Law of Nature may be lawfully practiſed in the Church of God, where there is no prohibition by poſitive Laws, enlarged into five ſubſervient Propoſitions.* 3. *Divine poſitive Laws, concerning the manner of the thing whoſe ſubſtance is determined by the Law of Nature, muſt be obeyed by vertue of the obligation of the natural Law.* 4. *Things undetermined, both by the natural and poſitive Laws of God, may be lawfully determined by the ſupreme authority in the Church of God.* 5. *What is thus determined by lawful authority, doth bind the conſciences of men ſubject to that authority, to obedience to thoſe determinations.* 6. *Things thus determined by lawful authority, are not thereby made unalterable, but may be revoked, limited, and changed by the ſame authority.*

HAving ſhewed what a Divine Right is, and whereon it is founded; our next great inquiry will be, how far Church Government is founded upon Divine Right, taken either of theſe two ways. But for our more diſtinct, clear, and rational proceeding, I ſhall lay down ſome things, as ſo many *Poſtulata* or general *Principles* and *Hypotheſes*, which will be as the baſis and foundation of the following diſcourſe; which all of them concern the obligation of Laws, wherein I ſhall proceed gradually, beginning with the Law of Nature, and ſo to Divine poſitive Laws; and laſtly, to ſpeak to humane poſitive Laws. The firſt principle or hypotheſis which I lay down, is, §. 1.

That where the Law of Nature doth determine any thing by way of duty, as flowing from the principles of it, there no poſitive Law can be ſuppoſed to take off the obligation of it. Which I prove, both as to humane poſitive Laws and Divine: Firſt as to humane. For *firſt*, the things commanded in the Law of Nature, being juſt and righteous in themſelves, there can be no obligatory Law made againſt ſuch things. *Nemo tenetur* Hypoth. 1.

ad impoſſibile, is true in the ſenſe of the Civil Law, as well as in Philoſophy; as *impoſſibile* is taken for *turpe*, and *turpe* for that which is contrary to the dictates of nature. A man may be as well bound not to be a man, as not to act according to principles of reaſon: For the Law of Nature is nothing elſe but the dictate of right reaſon, diſcovering the good or evil of particular actions, from their conformity or repugnancy to natural light. Whatever poſitive Law is then made directly infringing and violating natural principles, is thereby of no force at all. And that which hath no obligation in it ſelf, cannot diſſolve a former obligation. Secondly, the indiſpenſableneſs of the obligation of the Law of Nature, appears from the end of all other Laws, which are agreed upon by mutual compact, which is the better to preſerve men in their rights and priviledges. Now the greateſt rights of men, are ſuch as flow from Nature it ſelf; and therefore, as no Law binds againſt the reaſon of it, ſo neither can it againſt the common end of Laws. Therefore, if a humane poſitive Law ſhould be made, that God ſhould not be worſhipped, it cannot bind, being againſt the main end of Laws, which is to make men live together as reaſonable creatures, which they cannot do, without doing what Nature requires, which is, to ſerve God who made it. Again, it overturns the very foundation of all Government, and diſſolves the tye to all humane Laws, if the Law of Nature doth not bind indiſpenſably; for otherwiſe, upon what ground muſt men yield obedience to any Laws that are made? is it not by vertue of this Law of Nature, that men muſt ſtand to all compacts and agreements made? If Laws take their force among men from hence, they can bind no further than thoſe compacts did extend, which cannot be ſuppoſed to be to violate and deſtroy their own natures. Poſitive Laws may reſtrain much of what is only of the permiſſive Law of Nature (for the intent of poſitive Laws, was to make men abate ſo much of their natural freedom, as ſhould be judged neceſſary for the preſervation of humane ſocieties) but againſt the obligatory Law of Nature, as to its precepts, no after Law can derogate from the obligation of it. And therefore it is otherwiſe between the Law of Nature and poſitive Laws, than between

Grot. de jure belli, &c. lib. 1. cap. 1. ſ. 10.

Laws

Laws meerly civil: for as to these the rule is, that *posterior derogat priori*, the latter Law cassates and nulls the obligation of the former; but as to natural Laws and positive, *prior derogat posteriori*, the Law of Nature, which is first, takes away the obligation of a positive Law, if it be contrary to it. As *Justellus* observes it was in the primitive Church, in reference to the obligation of the Canons of the Councils, that such as were inserted in the *Codex Canonum*, being of the more ancient Councils, did render the obligation of later Canons invalid, which were contrary to them, unless it were in matters of small moment. We see then, that supposing the Law of Nature doth not continue obligatory, the obligation of all humane positive Laws will fall with it (as the superstructure needs must when the foundation is removed) for if any other Law of Nature may be dissolved, why not that whereby men are bound to stand to Covenants and contracts made? and if that be dissolved, how can the obligation to humane Laws remain, which is founded upon that *basis*? And so all civil societies are thereby overturned. Thirdly, it appears from the nature of that obligation which follows the Law of Nature, so that thereby no humane Law can bind against this; for humane Laws bind only outward humane actions *directly*, and internal acts only by vertue of their necessary connexion with, and influence upon outward actions, and not otherwise; but the Law of Nature immediately binds the soul and conscience of man: And therefore *obligatio naturalis*, and *nexus conscientiæ*, are made to be the same by *Lessius*, *Suarez*, and others. For *Lessius* disputing, Whether a Will made without solemnity of Law, doth bind in conscience or no? He proves it doth by this argument, from the opinion of the Lawyers, that without those solemnities there doth arise from it a natural obligation, and the *hæres ab Intestato*, who is the next of Kin, is bound to make it good; therefore it doth bind in conscience. So then there ariseth a necessary obligation upon conscience, from the dictates of the Law of Nature, which cannot be removed by any positive Law. For although there lye no action in the civil Law against the breach of a meerly natural Law, as in the former case of succession to a will not legally made; in covenants made without

Præfat. in Cod. canon. Eccles. Afric. p. 14.

Less. de just. & jure l. 2. c. 19. dub. 3. n. 12.

Suarez de leg. lib. 2. cap 9. sect. 6.

conditions expreſſed, in recovery of debts from a perſon to whom money was lent in his Pupilage without conſent of his Tutor; in theſe caſes though no action lie againſt the perſons, yet this proves not that theſe have no obligation upon a man, but only that he is not reſponſible for the breach of moral honeſty in them before civil Courts. In which ſenſe thoſe Lawyers are to be underſtood which deny the obligation of the Law of nature. But however conſcience binds the offender over to anſwer at a higher tribunal, before which all ſuch offences ſhall be puniſhed. Thus then we ſee no poſitive humane Law can diſpence with, or diſſolve the obligation of the Law of nature. Much leſs, Secondly, can we ſuppoſe any poſitive divine Law ſhould. For although Gods power be immenſe and infinite to do what pleaſeth him, yet we muſt alwaies ſuppoſe this power to be conjoyned with goodneſs, elſe it is no divine power: and therefore *poſſe malum, non eſt poſſe*, it is no power, but weakneſs to do evil; and without this *poſſe malum* there can be no alteration made in the nature of good and evil; which muſt be ſuppoſed, if the obligation of the natural Law be diſpenſed with. Therefore it was well ſaid by *Origen* when *Celſus* objected it as the common ſpeech of the Chriſtians, that with God all things are poſſible, that he neither underſtood *how it was ſpoken, nor what all theſe things are, nor how God could do them:* and concludes with this excellent ſpeech, Δύναται ἡ καθ' ἡμᾶς πάντα ὁ θεὸς, ἅπερ δυνάμενα τῷ θεὸς εἶναι, καὶ τὸ ἀγαθὸς εἶναι καὶ σοφὸς εἶναι οὐκ ἐξίσταται. *We ſay,* ſaith he, *that God can do all things which are reconcileable with his Deity, Goodneſs, and wiſdom.* And after adds, *That as it is impoſſible for honey to make things bitter, and light to make things obſcure, ſo it is for God to do any thing that is unjuſt.* Ἐναντίον γὰρ ὅτι αὐτῷ τῇ θειότητι καὶ τῇ καθ' αὐτὴν πάσῃ δυνάμει, ἡ τῆ ἀδικεῖν δύναμις. *For the power of doing evil is directly contrary to the divine nature, and that omnipotency which is conſiſtent with it.* To the ſame purpoſe he ſpeaks elſewhere, οὐδὲν μὴ πρέπον ἑαυτῷ ὁ θεὸς, βούλεται, *God wills nothing unbecoming himſelf:* And again, φαμὲν ἡ ὅτι οὐ δύναται ἄρχα ὁ θεὸς, ἐπεὶ ἔσται ὁ θεὸς δυνάμενα μὴ εἶ θεὸς εἰ γὰρ ἄρχεόν τι δρᾶ ὁ θεὸς οὐκ ἔτι θεός. *We affirm that God cannot do evil actions, for if he could he might as well be no God. For if God ſhould do evil, he would be no God.* So then though

Orig. lib. 3. c. Celſum. p. 154. ed. Cont.

c. Celſum. l. 5. p. 247.

though God be omnipotent, yet it follows not that he can therefore diſſolve the obligation of the preceptive Law of nature, or change the natures of good and evil. God may indeed alter the properties of thoſe things from whence the reſpects of good and evil do reſult, as in *Abrahams* offering *Iſaac*, the Iſraelites taking away the *Ægyptians* Jewels; which God may juſtly do by vertue of his abſolute dominion; but the change here is not in the obligation of the Law, but in the things themſelves. Murther would be an intrinſecal evil ſtill; but that which was done by immediate and explicite command from God, would have been no murther. Theft had been a ſin ſtill, but taking things alienated from their properties by God himſelf, was not theft. We conclude then, what comes immediately from the Law of nature by way of command binds immutably and indiſpenſably. Which is the firſt Hypotheſis or Principle laid down.

§. 2. The ſecond Hypotheſis is, *that things which are either deducible from the Law of nature, or by the light of nature diſcovered to be very agreeable to it, may be lawfully practiſed in the Church of God, if they be not otherwiſe determined by the poſitive Laws of God, or of lawful humane authority.* We ſhall firſt inquire into the nature of theſe things, and then ſhew the lawfulneſs of doing them. For the nature of theſe things, we muſt conſider what things may be ſaid to be of the Law of nature. They may be reduced to two heads, which muſt be accurately diſtinguiſhed. They are either ſuch things which nature dictates to be done, or not to be done neceſſarily and immutably; or elſe ſuch things as are judged to be very agreeable to natural light, but are ſubject to poſitive determinations. The former are called by ſome *jus naturæ obligativum*; by others *jus naturæ proprium*, whereby things are made neceſſarily duties or ſins; the latter *jus naturæ promiſſivum*, and *reductivum*, for which it is ſufficient if there be no repugnancy to natural light. From theſe two ariſe a different obligation upon men; either ſtrict, and is called by *Covarruvias obligatio ex juſtitiâ*, an obligation of duty and juſtice; the other larger, *obligatio ex communi æquitate*, or *ex honeſtate morali*, an obligation from common equity, that is according to the agreeableneſs of things to natural light. The former I have ſhewn already.

Covarr. tr. 10. de teſtam. n. 11.

dy do bind indiſpenſably, but theſe latter are ſubject to poſitive Laws. For our better underſtanding the obligation of theſe (which is more intricate than the former) we ſhall conſider men under a double notion, either in a ſtate of abſolute liberty, which ſome call a ſtate of nature, or elſe in a ſtate wherein they have reſtrained their own liberty by mutual compacts, or are determined by a higher Law. Theſe things premiſed, I lay down theſe propoſitions.

1. *In a ſtate of abſolute liberty before any poſitive Laws were ſuperadded to the natural, whatſoever was not neceſſarily determined by the obligatory Law of Nature, was wholly left to mens power to do it or not, and belongs to the permiſſive Law of Nature.* And thus all thoſe things which are ſince determined by poſitive Laws, were in ſuch a ſuppoſed ſtate, left to the free choice of a mans own-will. Thus it was in mens power to joyn in civil ſociety with whom they pleaſed, to recover things, or vindicate injuries in what way they judged beſt, to ſubmit to what conſtitutions alone they would themſelves, to chooſe what form of Government among them they pleaſed, to determine how far they would be bound to any authority choſen by themſelves, to lodge the legiſlative and coercive power in what perſons they thought fit, to agree upon puniſhments anſwerable to the nature of offences. And ſo in all other things not repugnant to the common light of reaſon, and the dictates of the preceptive part of the Law of Nature.

2. *A ſtate of abſolute liberty not agreeing to the nature of man conſidered in relation to others, it was in mens power to reſtrain their own liberty upon compacts ſo far as ſhould be judged neceſſary for the ends of their mutual ſociety.* A ſtate of nature I look upon only as an imaginary ſtate, for better underſtanding the nature and obligation of Laws. For it is confeſſed by the greateſt aſſertors of it, that the relation of Parents and Children cannot be conceived in a ſtate of natural liberty, becauſe Children aſſoon as born are actually under the power and authority of their parents. But for our clearer apprehending the matter in hand, we ſhall proceed with it. Suppoſing then all thoſe former rights were in their own power; it is moſt agreeable to natural reaſon, that every man may

Hobs *de Cive cap.* 1. *ſ.* 11. *Ann.*

may part with his right ſo far as he pleaſe for his own advantage. Here now, men finding a neceſſity to part with ſome of their rights to defend and ſecure their moſt conſiderable ones, men begin to think of compacts one with another (taking this as a principle of the natural Law, and the foundation of ſociety, that all Covenants are to be performed) When they are thus far agreed, they then conſider the terms upon which they ſhould enter into ſociety one with another. And here men deveſt themſelves of their original liberty, and agree upon an incloſure of properties, and the fences of thoſe properties; I mean, upon living together in a civil ſtate, and of the Laws they muſt be ruled by. This is apparently agreeable to natural reaſon, the things being in their own power, which they agree to part with.

§. 3. Prop. 3.

Men entring upon ſocieties by mutual compacts, things thereby become good and evil which were not ſo before. Thus he who was free before to do what and how he pleaſed, is now bound to obey what Laws he hath conſented to; or elſe he breaks not only a poſitive Law, but that Law of nature which commands man to ſtand to Covenants once made, though he be free to make them. And therefore it is obſervable that the doing of things that were lawful before covenants made, and things thereby determined, may be ſo far from being lawful after, that the doing of them may contradict a principle of the obligatory Law of nature. Thus in a ſtate of liberty every one had right to what he thought fit for his uſe, but Propriety and Dominion being introduced, which was a free voluntary act, by mens determining rights, it now becomes an offence againſt the Law of nature, to take away that which is another mans. In which ſenſe alone it is that theft is ſaid to be forbidden by the Law of nature. And by the ſame reaſon he that reſiſts and oppoſeth the lawful authority, under which he is born, doth not only offend againſt the Municipal Laws of the place wherein he lives, but againſt that Original and fundamental Law of ſocieties, *viz.* ſtanding to Covenants once made. For it is a groſs miſtake as well as dangerous, for men to imagine that every man is born in a ſtate of abſolute liberty to chooſe what Laws and Governours he pleaſe; but every one being now born a ſubject to that au-

Paulus l. 1. D. de furtis. Ulpian. lib. Poſt. D. de verb. ſig.

thority he lives under, he is bound to preſerve it as much as in him lies; thence *Auguſtus* had ſome reaſon to ſay, He was the beſt Citizen, *qui præſentem reipublicæ ſtatum mutari non vult, that doth not diſturb the preſent ſtate of the Common-wealth*; and who as *Alcibiades* ſaith in *Thucydides*, ὅπερ ἐδέξατο σῶμα τῆς πολιτείας, τοῦτο συνδιασώζει, *endeavours to preſerve that form of Government he was born under.* And the reaſon of it is, that in contracts and Covenants made for Government, men look not only at themſelves, but at the benefit of poſterity; if then one party be bound to maintain the rights of the others poſterity as well as of his perſon, the other party muſt be ſuppoſed to oblige his poſterity in his Covenant to perform obedience, which every man hath power to do, becauſe Children are at their parents diſpoſal; And equity requires that the Covenant entred ſhould be of equal extent to both parties: And if a man doth expect protection for his poſterity, he muſt engage for the obedience of his poſterity too, to the Governours who do legally protect them. But the further proſecution of theſe things belongs to another place to conſider of; my purpoſe being to treat of Government in the Church, and not in the State. The ſumm of this is, that the obligation to the performance of what things are determined (which are of the permiſſive Law of nature) by poſitive Laws, doth ariſe from the obligatory Law of nature. As the Demonſtration of the particular Problemes in the Mathematicks, doth depend upon the principles of the Theoremes themſelves; and ſo whoever denies the truth of the Probleme deduced by juſt conſequence from the Theoreme, muſt conſequentially deny the truth of the Theoreme its ſelf: ſo thoſe who violate the particular determinations of the permiſſive Law of nature, do violate the obligation of the preceptive part of that Law: Obedience to the other being grounded on the principles of this.

V. Grot. de jure belli, &c. lib. 2. cap. 4. ſect. 8.

4. *God hath power by his poſitive Laws to take in and determine as much of the permiſſive Law of nature as he pleaſe, which being once ſo determined by an univerſal Law, is ſo far from being lawful to be done, that the doing of them by thoſe under an obligation to his poſitive Laws, is an offence againſt the immutable Law of Nature.* That God may reſtrain mans natural liberty, I ſuppoſe none who own Gods legiſlative power

over

over the world can deny; especially considering that men have power to restrain themselves; much more then hath God, who is the Rector and Governour of the world. That a breach of his positive Laws is an offence against the common law of nature, appears hence; because man being God creature, is not only bound to do what is in general suitable to the principles of reason in flying evil, and choosing good; but to submit to the determinations of Gods will, as to the distinction of good from evil. For being bound universally to obey God, it is implyed that man should obey him in all things which he discovers to be his will: whose determination must make a thing not only good, but necessary to be done, by vertue of his supream authority over men. This then needs no further proof, being so clear in its self.

5. *Lastly. What things are left undetermined by divine positive Laws, are in the Churches power to use, and practise according as it judgeth them most agreeable to the rule of the Word.* That things undetermin'd by the word are still lawful, evidently appears: because what was once lawful, must have some positive Law to make it unlawful, which if there be none, it remains lawful still. And that the Church of God should be debar'd of any priviledge of any other societies, I understand not; especially if it belong to it as a society considered in its self, and not as a particular society constituted upon such accounts as the Church is. For I doubt not but to make it evident afterwards, that many parts of Government in the Church belong not to it as such in a restrained sense, but in the general notion of it, as a society of men imbodyed together by some Laws proper to its self: Although it subsist upon a higher foundation, *viz.* of divine institution, and upon higher grounds, reasons, principles, ends; and be directed by other Laws immediately than any other societies in the world are.

The third Hypothesis is this, *Where the Law of nature determies the thing, and the divine Law determines the manner and circumstances of the thing, there we are bound to obey the divine Law in its particular determinations, by vertue of the Law of nature in its general obligation.* As for instance, the Law of nature bindeth man to worship God; but for the §. 4.

way, manner and circumſtances of worſhip, we are to follow the poſitive Laws of God: becauſe as we are bound by nature to worſhip him, ſo we are bound by vertue of the ſame Law to worſhip him in the manner beſt pleaſing to himſelf. For the light of nature, though it determine the duty of worſhip, yet it doth not the way and manner; and though acts of pure obedience be in themſelves acceptable unto God, yet as to the manner of thoſe acts, and the poſitives of worſhip, they are no further acceptable unto God than commanded by him. Becauſe in things not neceſſarily determined by the Law of nature, the goodneſs or evil of them lying in reference to Gods acceptance, it muſt depend upon his command, ſuppoſing poſitive Laws to be at all given by God to direct men in their worſhip of him. For ſuppoſing God had not at all revealed himſelf in order to his worſhip; doubtleſs it had been lawful for men not only to pray to God and expreſs their ſenſe of their dependance upon him, but to appoint waies, time and places for the doing it, as they ſhould judge moſt convenient & agreeable to natural light. Which is evident from the Scripture its ſelf as to places: for as far as we can find, ſacrificing in high places, (that is, ſuch as were of mens own appointment) was lawful, till the Temple was built by *Solomon*; as appears by the ſeveral examples of *Gedeon*, *Samuel*, *David*, and others; Indeed after the place was ſetled by Gods own Law, it became wholy ſinful: but if ſo before we ſhould not have read of Gods accepting ſacrifices in ſuch places as he did *Gedeons*, nor of the Prophets doing it, as *Samuel* and *David* did. It is a diſputable caſe about Sacrifices, whether the offering of them came only from natural light, or from ſome expreſs command: the latter ſeems far more probable to me, becauſe I cannot ſee how natural light ſhould any wiſe dictate that God would accept of the blood of other creatures as a token of mans obedience to himſelf. And *Rivet* gives this very good reaſon why the deſtruction of any thing in ſacrifice cannot belong to the Law of nature, becauſe it is only acceptable as a ſign, and token of obedience, and not ſimply as an act of obedience; and this ſign ſignifying *ex inſtituto* (for mans deſtroying the life of a beaſt can never naturally ſignifie mans obedience to God) and therefore it muſt have ſome poſitive Law; for thoſe which ſignifie

Judg. 6. 18. 1 Sam. 7. 1, 4. 16. 9. 10. 3. 2 Sam. 15. 18. &c.

Exercit. in Gen. 42.

nifie only by inſtitution, and not naturally, cannot be referred to a dictate of the Law of nature. To which purpoſe it is further obſervable that God doth ſo often in Scripture ſlight the offering of Sacrifices, in reſpect of any inherent vertue or goodneſs in the action it ſelf, or acceptableneſs to God upon the account of the thing done. In which ſenſe God ſaith, *He that killeth a bullock, is as if he ſlew a man; and he that Sacrificeth a ſheep, as if he cut off a dogs neck, &c.* For what is there more in the one than in the other, but only Gods appointment, which makes one acceptable and not the other? So that it is no ways probable that God would have accepted *Abels* ſacrifice rather than *Cains*, had there been no command for their ſacrificing. For as to meer natural light, *Cains* Sacrifice ſeems more agreeable to that than *Abels*, *Cains* being an Euchariſtical offering without hurt to other creatures, but *Abels* was *cruentum Sacrificium* a Sacrifice of blood. But the chief ground of *Abels* acceptance, was his offering in faith, as the Apoſtle to the Hebrews tells us: Now faith is a higher principle than natural light, and muſt ſuppoſe divine revelation, and ſo a divine command as the principle and ground of his action. *Moſes* his ſilence in reference to a command, is no argument there was none, it not being his deſign to write at large all the particular precepts of the *oral* Law, but to deduce the Geneaology of the Patriarchs down from *Adam* and the Creation. But ſuppoſing a command given from God, determining modes and circumſtances of ſuch things of which the ſubſtance depends on a natural Law, men are as well bound to the obſervation of them after their revelation, as the other before. The one being a Teſtimony of their obedience to God as clear and full as the other; yea and ſo much the clearer evidence of obedience, in that there could be no argument for the performing of thoſe things but a divine command. And even in doing things intrinſecally good, the ground of purely religious obedience is, becauſe God commands men to do thoſe things more than that they are good in themſelves: Doing a thing becauſe moſt ſuitable to nature, ſpeaking morality; but doing becauſe God commands it, ſpeaks true religion and the obedience of faith. For as the formal reaſon of the act of faith is a divine Teſtimony diſcovered to our underſtandings, ſo the formal principle

Iſa. 66. 3.

Gen. 4. 3. 4.

Heb. 11. 4.

of an act of ſpiritual obedience is a divine command inclining the will, and awing it to performance. So far then as divine Law determines things, we are bound to obſerve them from the dictates of the natural Law.

§ 5. The fourth Hypotheſis: *In things which are determined both by the Law of nature, and divine poſitive Laws, as to the ſubſtance and morality of them, but not determined as to all circumſtances belonging to them, it is in the power of Lawful authority in the Church of God to determine them, ſo far as they judge them tend to the promoting the performance of them in due manner.* So that not only matters wholly left at liberty as to the ſubſtance of them are ſubject to humane Laws and Conſtitutions, but even things commanded in the Divine Law, in reference to the manner of performance, if undetermined by the ſame Law, which enforce the duty. Thus the ſetting apart ſome time for Gods worſhip, is a dictate of the natural Law: that the firſt day of the week be that time, is determin'd under the Goſpel; but in what places, at what hours, in what order, decency and ſolemnity this worſhip ſhall be then performed, are circumſtances not determined in Scripture, but only by general rules: as to theſe then ſo they be done in conformity to thoſe rules, they are ſubject to humane poſitive determinations. But this is not an *hypotheſis* in the age we live in to be taken for granted without proving it: ſome denying the Magiſtrate any power at all in matters of religion, others granting a defenſive, protective power of that religion which is profeſſed according to the Laws of Chriſt, but deny any determining power in the Magiſtrate concerning things left undetermin'd by the Scripture. This *Hypotheſis* then hath landed me into a Field of controverſie, wherein I ſhall not ſo much ſtrive to make my way through any oppoſite party, as endeavour to beget a right underſtanding between the adverſe parties, in order to a mutual compliance; which I ſhall the rather do, becauſe if any controverſie hath been an increaſer and fomenter of heart-burnings and diviſions among us, it hath been about the determination of indifferent things. And, which ſeems ſtrange, the things men can leaſt bear with one another in, are matters of *liberty*: and thoſe things men have divided moſt upon, have been matters of *uniformity*, and wherein they have differed moſt, have been pretended things

things of *Indifferency*. In order then to laying a foundation for peace and union, I shall calmly debate what power the Magistrate hath in matters of religion, and how far that power doth extend in determining things left undetermin'd by the word. For the clear understanding the first of these, we shall make our passage open to it by the laying down several necessary distinctions about it, the want of considering which hath been the ground of the great confusion in the handling this controversie. First then, we must distinguish between a power *respecting religion in it self*, and a power *concerning religion as it is the publick owned and professed religion of a Nation*. For although the Magistrate hath no proper power over religion in it self, either taking it *abstractly* for the rule of worship, or *concretely* for the internal acts of worship; for he can neither add to that rule nor dissolve the obligation of it; nor yet can he force the consciences of men, (the chief seat of religion) it being both contrary to the nature of religion it self, which is a matter of the greatest freedom and internal liberty, and it being quite out of the reach of the Magistrates Laws, which respect only external actions as their proper object; for the obligation of any Law can extend no further than the jurisdiction and authority of the Legislator, which among men is only to the outward actions. But then if we consider religion as it is publickly owned and professed by a Nation, the supreme Magistrate is bound by vertue of his office and authority, not only to defend and protect it, but to restrain men from acting any thing publickly tending to the subversion of it. So that the plea for liberty of conscience, as it tends to restrain the Magistrates power, is both irrational and impertinent; because liberty of conscience is the liberty of mens judgements, which the Magistrate cannot deprive them of. For men may hold what opinions they will in their minds, the Law takes no cognizance of them: but it is the liberty of practice and venting and broaching those opinions which the Magistrates power extends to the restraint of. And he that hath the care of the publick good, may give liberty to, and restrain liberty from men as they act in order to the promoting of that good; And as a liberty of all opinions tends manifestly to the subverting a Nations peace, and to the imbroyling it in continual confusions, a Magistrate cannot

not discharge his office unless he hath power to restrain such a liberty. Therefore we find plainly in Scripture that God imputes the increase and impunity of Idolatry as well as other vices to the want of a lawful Magistracy, *Judges* 17. 5, 6. where the account given of *Micahs* Idolatry was, because there was no King in *Israel*; which implies it to be the care and duty of Magistrates to pupish and restrain whatever tends to the opposing and subverting the true religion. Besides I cannot find any reason pleaded against the Magistrates power now, which would not have held under *David*, *Solomon*, *Asa*, *Jehosophat*, *Hezekias*, *Josias*, or other Kings of the Jews, who asserted the publick profession, to the extirpation of what opposed it. For the plea of conscience (taken for mens judgements going contrary to what is publickly owned as religion) is indifferently calculated for all Meridians, and will serve for a Religion of any elevation. Nay stiff and contumacious Infidels or Idolaters may plead as highly (though not so truly) as any, that it goes against their judgements or their conscience to own that religion which is established by authority. If it be lawful then to restrain such notwithstanding this pretence, why not others, whose doctrine and principles the Magistrate judgeth to tend in their degree (though not so highly) to the dishonouring God, and subverting the profession entertained in a Nation? For a mans own certainty and confidence that he is in the right, can have no influence upon the Magistrate judging otherwise; only if it be true, it will afford him the greater comfort and patience under his restraint: which was the case of the primitive Christians under persecutions: The Magistrate then is bound to defend. protect and maintain the religion he owns as true, and that by vertue of his office, as he is *Custos utriusque tabulæ*, The maintainer of the honour of Gods Laws, which cannot be if he suffer those of the first table to be broken without any notice taking of them. Were it not for this power of Magistrates under the Gospel, how could that promise be ever made good, that *Kings shall be nursing Fathers to the Church of God?* unless they mean such Nursing Fathers as *Astyages* was to *Cyrus*, or *Amulius* to *Romulus* and *Remus*, who exposed their nurstlings to the Fury of wild Beasts to be devoured by them. For so must a Magistrate do the Church, unless he secure it from

Isa. 49.23.

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the incurſion of Hereticks, and the inundation of Seducers. But ſo much for that which is more largely aſſerted and proved by others. The Magiſtrate then hath power concerning Religion, as owned in a Nation.

Secondly, we muſt diſtinguiſh between an *external* and *objective* power, about matters of Religion, and an *internal formal* power; which ſome call an imperative and elicitive power, others a power of order and a power of juriſdiction, others *poteſtas Eccleſiaſtica*, and *poteſtas circa Eccleſiaſtica*, or in the old diſtinction of *Conſtantine*, ἔνδον καὶ ἔξω τῆς ἐκκλησίας, a power of things within and without the Church; the ſenſe of all is the ſame, though the terms differ. The internal, formal, elicitive power of order, concerning things in the Church, lies in authoritative exerciſe of the Miniſterial function, in preaching the word, and adminiſtration of Sacraments; but the external, objective, imperative power of juriſdiction, concerning the matters of the Church, lies in a due care and proviſion, for the defence, protection, and propagation of Religion. The former is only proper to the Miniſtry, the latter to the Supream Magiſtracy: For though the Magiſtrate hath ſo much power about Religion, yet he is not to uſurp the Miniſterial function, nor to do any proper acts belonging to it. To which the inſtance of *Uzzias* is pertinently applied. But then this takes nothing off from the Magiſtrates power; for it belongs not to the Magiſtrate *imperata facere*, but *imperare facienda*, as *Grotius* truly obſerves, not to do the things commanded, but to command the things to be done. From this diſtinction we may eaſily underſtand, and reſolve that ſo much vexed and intricate Queſtion, concerning the mutual ſubordination of the Civil and Eccleſiaſtical power: For as *Peter Martyr* well obſerves, theſe two powers are ſome ways ἀντιστοφαὶ, are converſant ſeveral ways about the ſame thing; but the functions of both of them muſt be diſtinguiſhed: For the Paſtors of the Church are not to adminiſter juſtice, but it is their duty to declare how juſtice ſhould be rightly adminiſtred, without partiality, or oppreſſion. So on the other ſide, the Magiſtrate muſt not preach the Goſpel, nor adminiſter Sacraments; but however, muſt take care that theſe be duly done by thoſe to whoſe

Euſeb. vit. Conſtant. l. 4. c. 24.

De Imp. ſum. Poteſt. cap. 2. l. 1.

In Jud. c. 19.

function it belongs: but for a clearer making it appear, these things are to be considered, both in a Magistrate and Minister of the Gospel. In a Magistrate the *Power it self*, and the *person bearing that power*: The power it self of the Magistrate is no ways subordinate to the power of the Ministry; indeed if we consider both powers, in reference to their objects, and ends, there may be an *inferiority of Dignity*, as *Chamier* calls it, in the civil power to the other, considered *abstractly*; but considering it *concretely*, as lodged in the persons, there is an *Inferiority of subjection* in the Ecclesiastical to the Civil. But still the person of the Magistrate, though he is not subject to the power of the Ministers, yet both as a Christian, and as a Magistrate, he is subject to the word of God, and is to be guided by that in the administration of his Function. So on the other side, in a Minister of the Gospel, there are these things considerable; the object of his function, the function it self, the liberty of exercising it, and the person who doth exercise it. As for the *object of this function*, the Word and Sacraments, these are not subject to the civil power, being setled by a Law of Christ; for then for the *function it self*, that may be considered, either in the *derivation* of it, or in the *administration* of it. As for the derivation of the power and authority of the function, that is from Christ, who hath setled and provided by Law, that there shall be such a standing function to the end of the world, with such authority belonging to it: But for the administration of the function, two things belong to the Magistrate: *First*, to provide and take care for *due administration* of it; and to see that the Ministers preach the true doctrine, though he cannot lawfully forbid the true doctrine to be taught; and that they duly administer the Sacraments, though he cannot command them to administer them otherwise than Christ hath delivered them down to us: This for due administration. *Secondly*, in case of *male-administration* of his function, or scandal rendring him unfit for it, it is in the Magistrates power, if not formally to depose, yet to deprive them of the liberty of ever exercising their function within his Dominions; as *Solomon* did *Abiathar*, and *Justinian Sylverius*, as *Constantius* did *Vigilius*: For the liberty of exercise of the function is in the Magistrates

Panstrot. Cath. Tom. 2. l 15. cap. 6.

ſtrates power, though a right to exerciſe it be derived from the ſame power from which the authority belonging to the function was conveyed. And then laſtly, as to *the perſons exerciſing* this function, it is evident, as they are members of a civil ſociety as well as others, ſo they are ſubject to the ſame civil Laws as others are. Which as it is expreſly affirmed by *Chryſoſtom*, on *Rom.* 13. 1. Let every ſoul be ſubject to the higher powers, that is, ſaith he, κἂν ἀπόστολος ᾖς, κἂν εὐαγγελιστὴς, κἂν προφήτης, κἂν ὁπῶν. *Be he an Apoſtle, Evangeliſt, Prophet, Prieſt, Monk, be he who he will.* So it is fully, largely, irrefragably proved by our Writers againſt the Papiſts: eſpecially by the learned *Iſ. Cauſabon* in his piece *de libertate Eccleſiaſticâ*. So then we ſee what a fair, amicable, and mutual aſpect theſe two powers have one upon another, when rightly underſtood, being far from claſhing one with the other; either by a ſubjection of the civil power to the Eccleſiaſtical, or the civil powers ſwallowing up and devouring the peculiarity of the Miniſterial function. And upon theſe grounds, I ſuppoſe *Beza* and *Eraſtus* may, as to this, ſhake hands; So that the Magiſtrate do not uſurp the Miniſterial function, which *Vedelius* calls *Papatus politicus*; nor the Miniſters ſubject the civil power to them, which is *Papatus Eccleſiaſticus*.

In loc. To. 3. Ed. Æton. p. 189. Ed. 1607.

De Epiſcop. Conſt. Mag.

Thirdly, we diſtinguiſh between an *abſolute Architectonical* and *Nomothetical* power, independent upon any other Law, and a *Legiſlative power, abſolute* as to *perſons*, but *regulated* by a *higher Law*. The former we attribute to none but God; the latter belongs to a Supream Magiſtrate, in reference to things belonging to his power, either in Church or Commonwealth. By an Architectonical, Nomothetical power, we mean that power which is diſtinguiſhed from that which is properly call'd Political. The former lies in the making Laws for the good of the Commonwealth; the latter in a due execution and adminiſtration of thoſe Laws for the common good. This we have aſſerted to the Magiſtrate already; we now come to aſſert the other; where we ſhall firſt ſet down the bounds of this power, and then ſee to whom it belongs. *Firſt* then we ſay not, that the Magiſtrate hath a power to revoke, repeal, or alter any Divine poſitive Law; which we

§. 7.

Ariſtot. Ethic. lib. 6. c. 6.

have already ſhewn. *Secondly*, we ſay not, that the Magiſtrate by his own will may conſtitute what new Laws he pleaſe for the worſhip of God. This was the fault of *Jeroboam* who made *Iſrael* to ſin, and therefore by the rule of reaſon muſt be ſuppoſed to ſin more himſelf: So likewiſe *Ahab*, *Ahaz*, and others. Religion is a thing ſetled by a Divine Law; and as it is taken for the doctrine and worſhip of God; ſo it is contained in the word of God, and muſt be ſetched wholly from thence. But then *thirdly*, The Magiſtrate by his power, may make that which is a Divine Law already, become the Law of the Land. Thus Religion may be incorporated among our Laws, and the Bible become our *Magna Charta*. So the firſt Law in the *Codex Theod.* is about the believing the Trinity, and many others about Religion are inſerted into it. Now as to theſe things clearly revealed in the word of God, and withal commanded by the civil Magiſtrate, although the *primary obligation* to the doing them, is from the former determination by a Divine Law; yet the ſanction of them by the civil Magiſtrate, may cauſe a *further obligation* upon conſcience than was before, and may add puniſhments and rewards not expreſſed before. For although when two Laws are contrary the one to the other, the obligation to the higher Law takes away the obligation to the other; yet when they are of the ſame nature, or ſubordinate one to the other, there may a New obligation ariſe from the ſame Law, enacted by a New authority. As the commands of the Decalogue brought a New obligation upon the conſciences of the Jews, though the things contained in them, were commanded before in the Law of Nature: And as a Vow made by a man, adds a new tie to his conſcience, when the matter of his vow is the ſame with what the word of God commands; and renewing our Covenant with God after baptiſm, renews our obligation: So when the faith of the Goſpel becomes the Law of a Nation, men are bound by a double cord of duty to entertain and profeſs that faith. *Fourthly*, In matters undetermined by the word, concerning the external Polity of the Church of God, the Magiſtrate hath the power of determining things, ſo they be agreeable to the word of God. This laſt clauſe is that which binds the Magiſtrates power, that it is

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not absolutely Architectonical, because all his Laws must be regulated by the general rules of the Divine Law. But though it be not as to Laws, yet I say it is as to persons; that is, that no other persons have any power to make Laws, binding men to obedience, but only the Civil Magistrate This is another part of the controversie between the Civil and Ecclesiastical power, about the power of determining matters belonging to the Churches Government: But there is here no such breach between those two, but what may be made up with a distinction or two. We distinguish then between a *power declarative*, of the obligation of former Laws, and a *power authoritative*, determining a New obligation; between the *office* of *counselling* and *advising* what is *fit to be done*, and a power *determining what shall be done*; between the Magistrates *duty* of *consulting*, in order to the doing it, and his *deriving* his *authority* for the doing it. These things premised, I say: *First*, that the power of declaring the obligation of former Laws, and of consulting and advising the Magistrate for setling of New Laws, for the polity of the Church, belongs to the Pastors and Governours of the Church of God. This belongs to them, as *they are commanded to teach what Christ hath commanded them*, but no authority thereby given to make new Laws to bind the Church; but rather a tying them up to the commands of Christ already laid down in his word. For a power to bind mens Consciences to their determinations, lodged in the officers of the Church, must be derived either from a Law of God giving them this right, or else only from the consent of parties. For any Law of God, there is none produced with any probability of reason, but that, *Obey those that are over you in the Lord*. But that implies no more than submitting to the Doctrine and Discipline of the Gospel, and to those whom Christ hath constituted as Pastors of his Church, wherein the Law of Christ doth require obedience to them, that is, in looking upon them, and owning them in their relation to them as Pastors. But that gives them no authority to make any new Laws, or Constitutions, binding mens consciences any more than a command from the supream authority that inferiour Magistrates should be obeyed, doth imply any power in them to make new Laws to bind them. But

Matth. 28. 18.

Heb. 13. 17.

thus far I acknowledge a binding power in Eccleſiaſtical conſtitutions, though they neither bind by vertue of the matter, nor of the authority commanding (there being no legiſlative power lodged in the Church) yet in reſpect of the circumſtances and the end, they ſhould be obey'd, unleſs I judge the thing unlawful that is commanded, rather than manifeſt open contempt of the Paſtors of the Church, or bring a ſcandal to others by it. But as to the other power, ariſing from mutual compact and conſent of Parties, I acknowledge a power to bind all included under that compact, not by vertue of any ſupream binding power in them, but from the free conſent of the parties ſubmitting; which is moſt agreeable to the Nature of Church-power, being not coactive but directive; and ſuch was the confederate diſcipline of the primitive Church, before they had any Chriſtian Magiſtrate: And thence the decrees of Councils were call'd *Canons*, and not Laws. *Secondly*, Though it be the Magiſtrates duty to conſult with the Paſtors of the Church, to know what is moſt agreeable to the word of God, for the ſettlement of the Church; yet the Magiſtrate doth not derive his authority in commanding things from their ſentence, decree, and judgement, but doth by vertue of his own power cauſe the obligation of men to what is ſo determin'd, by his own enacting what ſhall be done in the Church. The great uſe of Synods, and Aſſemblies of Paſtors of Churches, is to be as the Council of the Church unto the King, in matters belonging to the Church, as the Parliament is for matters of civil concernment. And as the King, for the ſetling civil Laws, doth take advice of ſuch perſons who are moſt verſed in matters of Law; ſo by proportion of reaſon, in matters concerning the Church, they are the fitteſt Council, who have been the moſt verſed in matters immediately belonging to the Church: In the management of which affairs, as much, if not more, prudence, experience, judgement, moderation, is requiſite, as in the greateſt affairs of State. For we have found by doleful experience, that if a fire once catch the Church, and *Aarons* bells ring backward, what a Combuſtion the whole State is ſuddenly put into, and how hardly the Churches inſtruments for quenching ſuch fires, *lacrhymæ & preces Eccleſiæ*, do attain their end. The leaſt

V. Pet. Martyr. in 1 Sam. 14. *Whitaker, cont.* 4. q. 7. *Cameron. de Eccleſ. p.* 386. *To.* 1. *op.*

leaſt peg ſcrued up too high in the Church ſoon cauſeth a great deal of diſcord in the ſtate, and quickly puts mens ſpirits out of Tune. Whereas many irregularities may happen in the ſtate, and men live in quietneſs and peace. But if *Phaetons* drive the chariot of the Sun, the world will be ſoon on fire. I mean ſuch in the Church whoſe brains like the Unicorns run out into the length of the Horn; Such who have more fury than zeal, and yet more zeal than knowledge or Moderation. Perſons therefore whoſe calling, temper, office, and experience hath beſt acquainted them with the ſtate actions, Polity of the Primitive Church, and the incomparable Prudence and Moderation then Uſed, are fitteſt to debate, conſult, deliberate, determine about the ſafeſt expedients for repairing breaches in a divided, broken, diſtracted Church. But yet I ſay when ſuch men thus aſſembled have gravely and maturely adviſed and deliberated what is beſt and fitteſt to be done, the force, ſtrength and obligation of the things ſo determin'd doth depend upon the power and authority of the Civil Magiſtrate for taking the Church as incorporated into the civil ſtate, as *Eccleſia eſt in republicâ, non reſpublica in Eccleſiâ*, according to that known ſpeech of *Optatus Milivetanus*; ſo though the object of theſe conſtitutions, and the perſons determining them, and the matter of them be eccleſiaſtical, yet the force and ground of the obligation of them is wholly civil. So *Peter Martyr* expreſly; *Nam quod ad poteſtatem Eccleſiaſticam attinet, ſatis eſt civilis Magiſtratus: is enim curare debet ut omnes officium facient* (But for the judgement of the reformed Divines about this, ſee *Vedelius de epiſcopatu Conſtant. M.* ——— *& Officium Magiſtratus Chriſtiani annexed to Grotius de Imper. &c.*) I therefore proceed to lay down the reaſon of it. *Firſt.* That whereby we are bound either to obedience or penalty upon diſobedience, is the ground of the obligation; but it is upon the account of the Magiſtrates power that we are either bound to obedience, or to ſubmit to penalties upon diſobedience. For it is upon the account of our general obligation to the Magiſtrate, that we are bound to obey any particular Laws or conſtitutions. Becauſe it is not

lib. 2. c. Parmen.

In 1 Sam. 8. Loc. com. claſſ. 4. c. 5. ſ. 11.

not the particular determinations made by the Civil Magiſtrate, which do immediately bind conſcience, but the general Law of Scripture requires it from us as a duty to obey the Magiſtrate in all things lawful. Obedience to the Magiſtrate is due immediately from conſcience; but obedience to the Laws of the Magiſtrate comes not directly from Conſcience but by vertue of the general obligation. And therefore diſobedience to the Magiſtrates Laws is an immediate Sin againſt conſcience, becauſe it is againſt the general obligation; but obedience to particular Laws ariſeth not immediately from the obligation of conſcience to them in particular, but to the Magiſtrate in General. So that in things left lawful and undetermined by the word, where there ariſeth no obligation from the matter, it muſt ariſe from our ſubjection and relation to the Magiſtrate; and what is the ground of obedience, is the cauſe of the obligation. *Secondly*, He hath only the power of obligations who hath the power of making ſanctions to thoſe Laws. By ſanctions I mean here in the ſenſe of the civil Law, *eas legum partes quibus pœnas conſtituimus adverſus eos qui contra leges fecerint*, thoſe parts of the Law which determine the puniſhments of the violaters of it. Now it is evident that he only hath power to oblige who hath power to puniſh upon diſobedience. And it is as evident that none hath power to puniſh but the Civil Magiſtrate; I ſpeak of legal penalties which are annexed to ſuch Laws as concern the Church. Now there being no coercive or coactive power belonging to the Church as ſuch, all the force of ſuch Laws as reſpect the outward Polity of the Church, muſt be derived from the Civil Magiſtrate. *Thirdly*, He who can null and declare all other obligations void, done without his power, hath the only power to oblige. For whatſoever deſtroyes a former obligation, muſt of neceſſity imply a power to oblige, becauſe I am bound to obey him in the abſtaining from that I was formerly obliged to: But this power belongs to the Magiſtrate. For ſuppoſe in ſome indifferent rites and ceremonies, the Church repreſentative, that is, the Governours of it *pro tempore* do preſcribe them to be obſerved by all, the ſupreme Power forbids the doing of thoſe things, if this doth not

Papin. l. 41. D. de pœnis Hiſtor. Hottoman. Com. v. juris v. ſanct. Cicero ad Attic. lib. 3 ep. 23.

not null the former ſuppoſed obligation, I muſt inevitably run upon theſe abſurdities. Firſt, that there are two ſupreme powers in a nation at the ſame time. Secondly, that a man may lie under two different obligations as to the ſame thing; he is bound to do it by one power, and not to do it by the other. Thirdly, the ſame action may be a duty and a ſin; a duty in obeying the one power, a ſin in diſobeying the other. Therefore there can be but one power to oblige, which is that of the ſupreme Magiſtrate.

§. 8. Having thus far aſſerted the Magiſtrates due power and authority as to matters of religion, we proceed to examine the extent of this power in determining things left at liberty by the word of God in order to the peace and Government of the Church. For our clear and diſtinct proceeding, I ſhall aſcend by theſe three ſteps. Firſt to ſhew that there are ſome things left undetermin'd by the word. Secondly, that theſe things are capable of poſitive determinations and reſtraint. Thirdly, that there are ſome bounds and limits to be obſerved in the ſtating and determining theſe things. *Firſt*, that there are ſome things left undetermined by the word: by determining here, I do not mean determining whether things be *lawful* or no; for ſo there is no rite or ceremony whatſoever, but is determined by the Scripture in that ſenſe, or may be gathered from the application of particular actions to the general rules of Scripture; but by determining, I mean whether all things concerning the Churches Polity and order be determined as *duties* or no: *viz.* that this we are bound to obſerve, and the other not. As for inſtance, what time, manner, method, geſture, habit be uſed in preaching the word; whether baptiſm muſt be by dipping or ſprinkling; at what day, time, place the Child ſhall be baptized; and other things of a like nature with theſe. Thoſe who aſſert any of theſe as duties, muſt produce neceſſarily the command making them to be ſo: for duty and command have a neceſſary reſpect and relation to one another. If no command be brought, it neceſſarily follows that they are left at liberty. So as to the Lords ſupper *Calvin* ſaith, whether the communicants take the bread them-

Institut. l. 4. cap. 17. s. 43. & cap. 15. s. 19.

selves, or receive it being given them: whether they should give the cup into the hands of the Deacon or to their next neighbour; whether the bread be leaven'd or not, the wine red or white, *nihil refert*, it matters not; *Hæc indifferentia sunt & in ecclesiæ libertate posita*; *they are matters of indifferency, and are left to the Churches liberty.* But this matter of indifferency is not yet so clear as it is generally thought to be; we shall therefore bare the ground a little by some necessary distinctions to see where the root of indifference lies: Which we shall the rather do because it is strongly asserted by an Honourable person, that there is no indifferency in the things themselves which are still either unlawful or necessary, (if Lawful at this time, in these circumstances) but all indifferency lies in the darkness and shortness of our understandings which may make some things seem so to us. But that Honourable person clearly runs upon a double mistake. First, that Indifferency is a *medium participationis* of both extreams, and not only *negationis*, viz. that as intermediate colours partake both of black and white, and yet are neither; so in morality, between good and bad, there is an intermediate entity, which is neither, but indifferent to either: Whereas the nature of Indifferency lies not in any thing intermediate between good and bad, but in some thing undetermined by divine Laws as to the necessity of it; so that if we speak as to the extreams of it, it is something lying between a necessary duty, and an intrinsecal evil. The other mistake, is, that throughout that discourse he takes indifferency as circumstantiated in individual actions, and as the morality of the action is determined by its circumstances; whereas the proper notion of Indifferency lies in the nature of the action considered in it self abstractly; and so these things are implyed in an indifferent action. First, absolute undetermination as to the general nature of the act by a divine Law, that God hath left it free for men to do it or no. Secondly, that one part hath not more propension to the rule than the other; for if the doing of it comes nearer to the rule than the omission, or on the contrary, this action is not wholly indifferent. Thirdly, that neither part hath any repugnancy to the rule; for that which hath so, is so far

Nature of Episc. *cap.* 5.

far from being indifferent, that it becomes unlawful: So that an indifferent action is therein like the Iron accosted by two Loadstones on either side of equal vertue, and so hovers *in medio*, inclining to neither, but supposing any degree of vertue added to the one above the other, it then inclines towards it; or as the Magnetical *needle* about the *Azores*, keeps it self directly parallel to the *Axis* of the world without variation, because it is supposed then to be at an equal distance from the two great Magnets, the Continents of *Europe* and *America*; but no sooner is it removed from thence, but it hath its variations. So indifferency taken *in specie*, as to the nature of the act, inclines neither way; but supposing it lie under positive determinations, either by Laws or circumstances, it then necessarily inclines either to the nature of good or evil.

Neither yet are we come to a full understanding of the nature of indifferent actions; we must therefore distinguish between indifferency as to goodness *necessitating* an action *to be done*, and as to goodness *necessary* to an action *to make it good*; For there is one kind of goodness *propter quam fit actio*, in order to which the action must necessarily be done; and there is another kind of goodness *sine quâ non benè fit actio*, necessary to make an action good when it is done. As following after peace hath such a goodness in it, as necessitates the action, and makes it a necessary duty: but handling a particular controversie is such an action, as a man may let alone without sin in his course of studies; yet when he doth it, there is a goodness necessary to make his doing it a good action, *viz.* his referring his study of it to a right end, for the obtaining of truth and peace. This latter goodness is twofold, either *bonitas directionis*, as some call it, which is referring the action to its true end; in reference to which, the great controversie among the Schoolmen, is about the indifferency of particular actions, *viz.* Whether a particular direction of a mans intention to the ultimate end, be not so necessary to particular actions, as that without that the action is of necessity evil, and with it good; or whether without that an action may be indifferent to good or evil, which is the state of the Question between *Thomas* and *Scotus*, *Bonaventure* and *Duran-*

V. Forbes. Irenic. lib. 1. cap. 13.

Durandus; but we assert the necessity of at least an habitual direction, to make the action *in individuo* good, and yet the act in it self may notwithstanding be indifferent, even *in individuo*, as there is no antecedent necessity lying upon mens consciences for the doing of it; because men may omit it, and break no Law of God. Besides this, to make an action good, there is necessary a *bonitas originis*, or rather *Principii*, a good principle out of which the action must flow; Which must be that faith, which whatsoever is not of, is sin, as the Apostle tells us. Which we must not so understand, as though in every action a man goes about, he must have a full perswasion that it is a necessary duty he goes about; but in many actions that faith is sufficient whereby he is perswaded upon good grounds, that the thing he goes about is lawful; although he may as lawfully omit that action, and do either another, or the contrary to it. There may be then the necessity of some things in an action when it is done to make it good, and yet the action it self be no ways necessary, but indifferent and a matter of liberty. This may be easily understood by what is usually said of Gods particular actions, that God is free in himself either to do or not to do that action (as suppose the Creation of the World) but when he doth it, he must necessarily do it with that goodness, holiness, and wisdom, which is suitable to his nature: So may many actions of men be in themselves indifferent, and yet there must be a concomitant necessity of good intention and principle to make the action good. But this concomitant necessity doth not destroy the radical indifferency of the action it self; it is only an antecedent necessity from the obligation of the Law, is that which destroys indifferency. So likewise it is as to evil; there is such an evil in an action, which not only spoils the action, but hinders the person from the liberty of doing it, that is, in all such actions as are intrinsecally evil; and there is such a kind of evil in actions, which though it spoils the goodness of the action, yet keeps not from performance; which is such as ariseth from the manner of performance, as praying in hypocrisie, *&c.* doing a thing lawful with a scrupulous or erring conscience. We see then what good and evil is consistent with indifferency in actions, and what is not. And that the nature

Rom. 14. 23.

of

of actions, even *in individuo*, may be indifferent, when as to their circumstances they may be necessarily determin'd to be either good or evil. As marrying, or not marrying, as to the Law of God, is left at liberty, not making it in it self a necessary duty, one way or other; but supposing particular circumstances make it necessary, *pro hic & nunc*, yet the nature of it remains indifferent still; and supposing marriage, it is necessary it should be in the Lord, and yet it is not necessary to make choice of this person rather than of that; so that not only the absolute indifferency of the action is consistent with this concomitant necessity, but the full liberty both of *contradiction* and *contrariety*. Again, we must distinguish between an *indifferency* as to its *nature*, and indifferency as to its *use and end*; or between an indifferency as to a *Law*, and indifferency as *to order and peace*: here I say, that in things wholly indifferent in both respects, that is, in a thing neither commanded nor forbidden by God, nor that hath any apparent respect to the peace and order of the Church of God, there can be no rational account given, why the nature of such indifferencies should be alter'd by any humane Laws and Constitutions. But matters that are only indifferent as to a command, but are much conducing to the peace and order of a Church, such things as these, are the proper matter of humane constitutions concerning the Churches polity: Or rather to keep to the words of the *Hypothesis* it self, where any things are determin'd in general by the word of God, but left at liberty as to manner and circumstances, it is in the power of lawful authority in the Church of God to determine such things, as far as they tend to the promoting the good of the Church.

§. 9. And so I rise to the second step, which is, that matters of this nature may be determin'd and restrained. Or that there is no necessity, that all matters of liberty should remain in their primary indifferency. This I know is asserted by some of great note and learning; that in things which God hath left to our Christian liberty, man may not restrain us of it, by subjecting those things to positive Laws; but I come to examine, with what strength of reason this is said, that so we may see, whether men may not yield in some lawful things

to a reſtraint of their Chriſtian liberty, in order to the Peace of the Church of God: Which I now prove by theſe Arguments. *Firſt*, What may be lawfully done when it is commanded, may be ſo far lawfully commanded, as it is a thing in it ſelf lawful; but matters of Chriſtian liberty may be lawfully done when they are commanded to be done, though it were lawful not to do them before that command. The truth of the propoſition appears, becauſe lawful authority may command any thing that may be lawfully done. Becauſe nothing can exempt from obedience to a lawful Magiſtrate, but the unlawfulneſs of the thing commanded; and therefore nothing can debar the Magiſtrate from commanding theſe things; for nothing can hinder him from commanding, but what may hinder the ſubject from obedience. I grant in many caſes it may be lawful to obey, when it is very inconvenient for the Magiſtrate to command; but inconveniency and unlawfulneſs are two things; nay, and in ſome caſes a man may lawfully obey when he is unlawfully commanded; but then the matter of the command it ſelf is unlawful. As in executing an unjuſt ſentence, granting that a Princes ſervants may lawfully do it, eſpecially when they know it not; yet in that caſe, the ground of their lawful obedience, is the ground of the Magiſtrates lawful command, which is the ſuppoſed juſtice of the execution. But that which makes the Magiſtrates command unlawful, is the intrinſecal evil of the thing it ſelf. So for unlawful wars, though the Subjects may lawfully obey, yet the Prince ſins in commanding, not but that he hath right to command ſo far as they are bound to obey, which is only in things lawful; but that which in this caſe alters the matter, is the Princes knowing his cauſe to be unjuſt. So that however the propoſition holds in things not manifeſtly unjuſt. But however this be, it is hereby granted, that the things may be lawfully done, when they are reſtrained by the Magiſtrates command; and by that it appears that liberty may be reſtrained; elſe it could not be lawful to act under that reſtraint; not as it reſpects the things themſelves, but under that formality, as they are the reſtraint of that which ought to be left free. The reſtraint however then is lawful, as to the perſons acting under authority, who are the ſubjects

jects of this liberty, though it were granted unlawful as to the authority doing it. Which former is sufficient for my purpose, *viz.* that Christian liberty, as to the subjects of it, may be lawfully restrained. *Secondly*, A lesser duty ceaseth to be a duty, when it hinders from the performance of greater: but the preserving Christian liberty is a lesser duty, which may hinder the peace of the Church, which is a greater; therefore in that case it may be restrained. The *Major* is granted by Divines and Casuists; when duties stand in competition, the lesser ceaseth to bind, as is evident, in that God will have mercy rather than sacrifice. Positives yield to morals and naturals. Thence the obligation of an oath ceaseth, when it hinders from a natural duty; as the *Corban* among the Jews from relief of Parents. And therefore *Grotius* saith, that an oath taken concerning a thing lawful, if it doth hinder *majus bonum morale*, the obligation of that oath ceaseth. Now that preserving liberty is a lesser duty than the looking after the peace of the Church, is evident, because the one is only a matter of liberty, and left undetermin'd by the Word; and the other a matter of necessity, and absolutely, and expresly required of all, as a duty as much as possibly lies in them to endeavour after. *Thirdly*, If an occasional offence of weaker brethren may be a ground for restraining Christian liberty, then much more may commands from lawful authority do it; but the offence of weaker Brethren may restrain Christian liberty, as to the exercise of it, as appears by the Apostles discourse, *Rom.* 14. 21. The reason of the consequence lies here, that a case of meer offence, which is here pleaded towards weak Brethren, cannot have that obligation upon conscience, which a known duty of obeying lawful authority, in things in themselves lawful, hath. Nay further, insisting only on the Law of scandal, I would fain know, whether it be a greater offence and scandal to Christians consciences, to infringe the lawful authority of the Magistrate, and to deny obedience to his commands, in things undetermined by the Law of God; or else to offend the Consciences, that is, go against the judgments of some well meaning, but less knowing Christians. Or thus, whether in the matter of scandal, it be a greater offence to go against the judgments of the weaker

Grot. de jure belli & pacis, lib. 2. cap. 13. sect. 7.

weaker and more ignorant, or the more knowing and able, when the one have only their own weak apprehenſions to biaſſe them, the other are backed by and grounded upon an eſtabliſhed Law. And whether it be not a greater ſcandal to Religion to diſobey a Chriſtian Magiſtrate, than it is to offend ſome private Chriſtians. Let theſe things be examined and then let us ſee whether the argument will not hold *à majori*; if the Law of Scandal as to private Chriſtians may reſtrain liberty, then may a command from the Magiſtrate do it. *Fourthly*, I argue thus: If the nature of Chriſtian liberty may be preſerved under the reſtraint of the exerciſe of it, then it is not againſt the nature of Chriſtian liberty to have the exerciſe reſtrained; but the former is true, and therefore the latter. Now that the nature of Chriſtian liberty may be preſerved under the reſtraint of its exerciſe, I prove by theſe Arguments.

§. 10. *Firſt.* Becauſe the nature of Chriſtian liberty is founded upon the freedom of judgment, and not the freedom of practice. The caſe is the ſame in moral and natural liberty as in Chriſtian. Now we ſay truly, that the radical liberty of the ſoul is preſerved, though it be determined to a particular action: For the liberty of the Will lying in the *power* of determining it ſelf either way, (as it is generally thought) the actual determination of the will doth not take away the internal power in the ſoul; and in that reſpect there may be *potentia faciendi* where there is not *poſſibilitas effectus*, a power of doing when there is no poſſibility the thing ſhould be done, when the event is otherwiſe determined by a divine decree, as in breaking the bones of Chriſt upon the Croſs. So it is in reference to Chriſtian liberty; though the exerciſe of it be reſtrained, yet the liberty remains; becauſe Chriſtian liberty lyes in the freedom of judgment, *that is*, in judging thoſe things to be free which are ſo; ſo that if any thing that is in its ſelf free, be done by a man with an opinion of the neceſſity of doing it antecedent to the Law commanding it, or without any Law preſcribing it, thereby his Chriſtian liberty is deſtroyed; but if it be done with an opinion of the freedom and indifferency of the thing it ſelf, but only with a conſequential neceſſity of doing

doing it, ſuppoſing the Magiſtrates command, he retains the power of his Chriſtian liberty ſtill, though under the reſtraint of the exercile of it. And therefore it would be well obſerved that the opinion of the neceſſity of any one thing undetermined by Scripture, deſtroyes Chriſtian liberty more than a Magiſtrates command doth. And by this reaſon, they that hold any one poſture at receiving the Lords Supper neceſſary (as ſitting, leaning, kneeling) do all equally deſtroy their own Chriſtian liberty as to theſe things which are undetermined by the word. So a Magiſtrate when commanding matters of Chriſtian liberty, if in the preface to the Law he declares the thing neceſſary to be done in its ſelf, and therefore he commands it, he takes away as much as in him lies our Chriſtian liberty. And in that caſe we ought to hold to that excellent rule of the Apoſtle, *ſtand faſt therefore in the liberty wherewith Chriſt hath ſet you free, and be not intangled again with the yoke of bondage.* But if the Magiſtrate declare the things to be in themſelves indifferent, but only upon ſome prudent conſiderations for peace and order he requires perſons to obſerve them, though this brings a neceſſity of obedience to us, yet it takes not away our Chriſtian liberty. For an antecedent neceſſity expreſſed in the Law (as a learned and excellent Caſuiſt of our own obſerves) doth neceſſarily require the aſſent of the practical judgment to it; which takes away our liberty of judgment, or our judgment of the liberty of the things; but a conſequential neceſſity upon a command ſuppoſed, doth only imply an act of the will, whereby the freedom of judgment and conſcience remaining, it is inclined to obedience to the commands of a ſuperior Law. Now that liberty doth lie in the freedom of judgment, and not in the freedom of practice, and ſo is conſiſtent with the reſtraint of the exerciſe of it; appears both in the former caſe of ſcandal, and in the actions of the Apoſtles and primitive Chriſtians complying with the Jews in matters of liberty; yea which is a great deal more, in ſuch ceremonies of which the Apoſtle expreſly ſaith, that if they obſerved them, Chriſt would profit them Nothing; and yet we find *Paul* himſelf circumciſing *Timothy* becauſe of the Jews. Certainly then however theſe ceremonies are ſuppoſed to be not only

Gal. 5. 1.

D. Sanderſon. de oblig. conſ. præl. 6. ſ. 5.

Gal. 5. 2.

Acts 16. 3.

mortua but *mortifera* now the Gospel was preached, and the Law of Christian liberty promulged, yet *Paul* did not look upon it as the taking away his liberty, at any time when it would prevent scandal among the Jews, and tend to the furtherance of the Gospel, to use any of them. It was therefore the opinion of the necessity of them was it which destroyed Christian liberty; and therefore it is observable, that where the opinion of the necessity of observing the Judaical Rites and Ceremonies was entertained, the Apostle sets himself with his whole strength to oppose them, as he doth in his Epistles to the *Galatians* and *Colossians*. Whom yet we find in other places, and to other Churches, not leaven'd with this doctrine of the necessity of judaical Rites, very ready to comply with weak Brethren, as in his Epistles to the *Romans* and *Corinthians*. From which we plainly see, that it was not the bare doing of the things, but the doing them with an opinion of the necessity of them is that which infringeth Christian liberty, and not the determination of one part above the other by the Supream Magistrate, when it is declared not to be for any opinion of the things themselves as necessary, but to be only in order to the Churches peace and unity. *Secondly*, It appears that liberty is consistent with the restraint of the exercise of it; because the very power of restraining the exercise of it, doth suppose it to be a matter of liberty, and that both antecedently and consequentially to that restraint. *Antecedently*, so it is apparent to be a matter of liberty, else it was not capable of being restrained: *Consequentially*, in that the ground of observance of those things when restrained, is not any necessity of the matter, or the things themselves; but only the necessity of obeying the Magistrate in things lawful and undetermin'd by the word: which leads to another argument. *Thirdly*, Mens obligation to these things, as to the ground of it, being only in point of contempt and scandal, argues that the things are matter of liberty still. I grant the Magistrates authority is the ground of obedience, but the ground of the Magistrates command is only in point of contempt aud scandal, and for preserving order in the Church: For I have already shewed it to be unlawful, either to command or obey, in reference to these things

Gal. 4. 9, 10, 11. Colos. 2. 16, 18, 19.

Rom. 14. 3, 6, 21. 1 Cor. 10. 24.

things, from any opinion of the neceſſity of them, and therefore the only ground of obſerving them, is to ſhew that we are not guilty of contempt of the power commanding them, nor of ſcandal to others that are offended at our not obſerving them. *Tota igitur religio eſt in fugiendo ſcandalo & vetando contemptu*, ſaith our learned *Whitaker*: All our ground of obedience is the avoiding ſcandal and contempt of authority. To the ſame purpoſe *Pet. Martyr*, ſpeaking of the obligation of Eccleſiaſtical Laws: *Non obſtringunt ſi removeatur contemptus & ſcandalum*: So that non obſervance of indifferent things commanded, when there is an apparent contempt or ſcandal, do not involve a man in the guilt of ſin: as ſuppoſe a Law made that all publick prayer be performed kneeling, if any thing lies in a mans way to hinder him from that poſture, in this caſe the man offends not; becauſe there is no contempt or ſcandal: So if a Law were made that all ſhould receive the Lords ſupper faſting, if a mans health calls for ſomewhat to refreſh him before, he ſins not in the breach of that Law. And therefore it is obſervable which *Whitaker* takes notice of in the Canons of the Councils of the primitive Church, that though they did determine many things belonging to the external Polity of the Church, yet they obſerved this difference in their Cenſures of Anathema's; That in matters of meer order and decency they never pronounced an *Anathema*, but with the ſuppoſition of apparent contempt; and inſerted, *Si quis contra præſumpſerit, ſi quis contumaciter contra fecerit*: but in matters of doctrine or life, fully determin'd by the Law of God, they pronounced a ſimple *Anathema*, without any ſuch clauſe inſerted. Now from this we may take notice of a difference between Laws concerning indifferences in Civil and Eccleſiaſtical matters: That in civils the Laws bind to indifferences without the caſe of contempt or ſcandal, becauſe in theſe the publick good is aimed at, of which every private perſon is not fit to judge, and therefore it is our duty either to obey or ſuffer; but in Eccleſiaſtical conſtitutions, only peace and order is that which is looked at, and therefore, *Si nihil contra ἐυταξίαν feceris, non teneris illis*, is the rule here, if nothing tending to apparent diſorder be done, men break not thoſe Laws: For the end and reaſon

Controv. 4. queſt. 7. cap. 2.

In 1 Sam. 14

of a Law is the measure of its obligation. *Fourthly*, Mens being left free to do the things forbidden, either upon a repeal of the former Laws, or when a man is from under obligation to that authority which commands them, argues them still to be matters of liberty, and not matters of necessity. That Laws respecting indifferent things may be repealed, I cannot imagine that any have so little reason as to deny, upon a different state of affairs from what it was when they were first enacted; or when they cannot attain the ends they are designed for, the peace and order of the Church, but rather tend to imbroil it in trouble and confusion: And that when men are from under the authority imposing them, men are at their own liberty again, must necessarily be granted, because the ground of restraint of that liberty was the authority they were under; and therefore the cause being taken away, the effect follows. Therefore for men to do them when authority doth not impose them, must imply an opinion of the necessity of the things themselves, which destroyes Christian liberty. Whence it was resolved by *Augustine* in the case of Rites, that every one should observe those of that Church which he was in: which he saith he took from *Ambrose*. His words are these, *Nec disciplina ulla in his melior gravi prudentique Christiano quàm ut eo modo agat, quo agere viderit Ecclesiam, ad quamcunque forte devenerit. Quod enim neque contra fidem, neque contra bonos mores injungitur, indifferenter est habendum, & pro eorum inter quos vivitur societate servandum est.* He tells us, *He knew no better course for a serious prudent Christian to take in matters of Rites and Customes, than to follow the Churches example where he is: for whatsoever is observed neither against faith or manners, is a matter in its self indifferent, and to be observed according to the custom of those he lives among.* And after acquaints us that his Mother coming to *Milan* after him, and finding the Church there not observe the Saturday fast as the Church of *Rome* did, was much perplexed and troubled in mind at it (as tender but weak consciences are apt to be troubled at any thing contrary to their own practice): she for her own satisfaction sends her son to *Ambrose*, then Bishop of the Church there, who told him he would give him no other answer but what he

Aug. ep. 118. ad Januar.

he did himſelf, and if he knew any thing better, he would do it. *Auguſt.* preſently expects a command from him to leave off Saturday faſts, inſtead of that; *Ambroſe* tells him; *Cum Romam venio, jejuno ſabbato; cum hic ſum, non jejuno. Sic etiam tu ad quam forte Eccleſiam veneris, ejus morem ſerva, ſi cuiquam non vis eſſe ſcandalo, nec quenquam tibi. When I am at* Rome *I faſt on the Sabbath, but at* Milan *I do not. So thou likewiſe, when thou comeſt to any Church, obſerve its cuſtom, if thou wouldſt neither be an offence to them, nor have them be ſo to thee.* A rare and excellent example of the piety, prudence, and moderation of the Primitive Church: far from rigid impoſing indifferent cuſtoms on the one ſide; from contumacy in oppoſing meer indifferences on the other. Which judgement of *Ambroſe*, *Auguſtine* ſaith, he alwayes looked on as often as he thought of it, *tanquam cœleſte oraculum*, as an oracle come from heaven; and concludes with this excellent ſpeech, which if ever God intend peace to our Church, he will make men underſtand: *Senſi enim ſæpe dolens & gemens multas infirmorum perturbationes fieri per quorundam fratrum contentioſam obſtinationem, & ſuperſtitioſam timiditatem qui in rebus hujuſmodi, quæ neque Scripturæ ſanctæ autoritate, neque univerſalis Eccleſiæ traditione, neque vitæ corrigendæ utilitate ad certum poſſunt terminum pervenire (perducere) tantum quia ſubeſt qualiſcunque ratiocinatio cogitantis, aut quia in ſuâ patriâ ſic ipſe conſuevit, aut quia ibi vidit ubi peregrinationem ſuam quo remotiorem à ſuis, eo doctiorem factam putat, tam litigioſas excitant quæſtiones ut niſi quod ipſi faciunt, nihil rectum exiſtiment. I have often,* ſaith he, *found it to my grief and ſorrow, that the troubles of weaker Chriſtians, have been cauſed by the contentious obſtinacy of ſome on the one hand, and the ſuperſtitious fearfulneſs of others on the other, in things which are neither determin'd by the authority of the holy Scriptures, nor by the cuſtom of the univerſal Church, nor yet by any uſefulneſs of the things themſelves, in order to the making mens lives better; only for ſome petty reaſon in a mans own mind, or becauſe it hath been the cuſtom of their Country, or becauſe they have found it in thoſe Churches, which they have thought to be the nearer to truth, the further they have been from home, they are continually raiſing ſuch quarrels and con-*

tentions, that they think nothing is right and lawful, but what they do themſelves. Had that bleſſed Saint lived in our age, he could not have uttered any thing more true, nor more pertinent to our preſent ſtate: which methinks admirers of antiquity ſhould embrace for its authority, and others for the great truth and reaſon of it. Did we but ſet up thoſe three things as Judges between us in our matters of Ceremonies, *The Authority of the Scriptures, the practice of the Primitive Univerſal Church, and the tendency of them to the reforming mens lives*; how ſoon might we ſhake hands, and our controverſies be at an end! But as long as contentious obſtinacy remains on one ſide, and a ſuperſtitious fearfulneſs on the other (for ſuperſtition may as well lie in the imagined neceſſity of avoiding things indifferent, as in the neceſſary obſerving of things which are not) we may find our ſtorms increaſe, but we are not like to ſee any Land of Peace. How happy might we be, did men but once underſtand that it was their duty to mind the things of peace! How little of that Duſt might ſtill and quiet our moſt contentious frayes!

Hi motus animorum, atque hæc certamina tanta
Pulveris exigui jactu compreſſa quieſcunt.

But in order to ſo happy and deſirable an union and accommodation, I ſhall not need to plead much from the nature of the things we differ about; the lowneſs of them in compariſon of the great things we are agreed in, the fewneſs of them in compariſon of the multitude of thoſe weighty things we ought moſt to look after, the benefits of union, the miſeries of diviſion, which if our lamentable experience doth not tell us of, yet our conſciences may; I ſhall crave leave humbly to preſent to ſerious conſideration ſome propoſals for accommodation: which is an attempt which nothing but an earneſt deſire of peace can juſtifie, and I hope that will: which here falls in as the third ſtep of my deſigned dicourſe, about the bounds to be ſet in the reſtraint of Chriſtian liberty.

§. 11. The *firſt* is, that nothing be impoſed as neceſſary, but what is clearly revealed in the word of God. This there is the higheſt reaſon and equity for, ſince none can have command

mand immediately over conſcience, but God himſelf, and whatever is impoſed as neceſſary, doth immediately bind conſcience. And whatever binds mens conſciences with an opinion of the neceſſity of it, doth immediately deſtroy that Chriſtian liberty which men are neceſſarily bound to ſtand faſt in, and not be intangled with any yoke of bondage. Not only the yoke of Jewiſh Ceremonies, but whatever yoke pincheth, and galls as that did, with an opinion of the neceſſity of doing the thing commanded by any but the word of God. Which the Apoſtle calls *Dogmatizing*, Coloſſ. 2. 20. and *v.* 16. let no man judge you in meat and drink; *nè præpoſiti quidem veſtri*, ſaith *Whitaker*; theſe impoſitions he calls, *v.* 22. the commandments and doctrines of men. And ſuch he calls a ſnare, 1 *Corinth.* 7. 23. which was the making an indifferent thing, as Cœlibate, neceſſary. *Laqueus eſt quicquid precipitur ut neceſſarium quod liberum eſſe debet.* So that though obedience be neceſſary to indifferent things when commanded; yet it muſt alwayes be *libera à conſcientiâ quoad res ipſas legum*, no obligation to be laid upon conſcience to look upon the things as neceſſary. Gal. 5. 1.

Secondly, That nothing be required, nor determin'd, but what is ſufficiently known to be indifferent in its own nature. The former propoſal was in reference to the manner of impoſing, this reſpects the nature of the things themſelves. The only difficulty here is, how a thing may be ſufficiently known to be indifferent; becauſe one man looks upon that as indifferent, which another doth not. The moſt equal way to decide this controverſie, is to make choice of ſuch judges as are not intereſted in the quarrel: And thoſe are the *ſenſe of the Primitive Church* in the firſt 4 Centuries, who were beſt able to judge whether they looked upon themſelves as bound by any command of Scripture or no; and withal the judgment of the Reformed Churches: So that what ſhall be made appear to be left indifferent, by both the ſenſe of the Primitive Church, and the Churches of the Reformation, may be a matter determinable by Law, and which all may be required to conform in obedience to.

Thirdly, That whatever is thus determined be in order only to a due performance of what is in general required in the word

word of God, and not to be looked on as any part of divine worſhip or ſervice. This is that which gives the greateſt occaſion of offence to mens conſciences, when any thing is either required, or if not, yet generally uſed and looked on as a neceſſary part or concomitant of Gods worſhip, ſo that without it the worſhip is deemed imperfect. And there is great difference to be made between things indifferent in their own nature, and indifferent as to their uſe and practice. And when the generality of thoſe who uſe them do not uſe them as indifferent, but as neceſſary things, it ought to be conſidered whether in this caſe ſuch a uſe be allowable till men be better informed of the nature of the things they do. As in the caſe of the Papiſts about image-worſhip, their divines ſay, that the images are only as high teners of Devotion, but the worſhip is fixed on God; but we find it is quite otherwiſe in the general practice of people who look at nothing beyond the image. So it may be, bating the degrees of the offence, when matters of indifferency in themſelves are by the generality of people not looked on as ſuch, but uſed as a neceſſary part of divine ſervice. And it would be conſidered whether ſuch an abuſe of matters ſuppoſed indifferent being known, it be not *ſcandalum datum* to continue their uſe without an effectual remedy for the abuſe of them.

Fourthly, That no ſanctions be made, nor mulcts or penalties be inflicted on ſuch who only diſſent from the uſe of ſome things whoſe lawfulneſs they at preſent ſcruple, till ſufficient time and means be uſed for their information of the nature and indifferency of the things, that it may be ſeen whether it be out of wilful contempt and obſtinacy of ſpirit, or only weakneſs of conſcience and diſſatisfaction concerning the things themſelves that they diſobey. And if it be made evident to be out of contempt, that only ſuch penalties be inflicted as anſwers to the nature of the offence. I am ſure it is contrary to the Primitive practice, and the Moderation then uſed, to ſuſpend or deprive men of their miniſterial function for not conforming in habits, geſtures, or the like. Concerning habits, *Walafridus Strabo*, expreſly tells us, there was no diſtinction of habits uſed in the Church in the Primitive times. *Veſtes ſacerdotales per incrementa ad eum, qui nunc habetur, auctæ*

De rebus Eccleſ. cap. 24.

aucta sunt ornatum. Nam primis temporibus communi vestimento induti, Missas agebant, sicut & hactenus quidam Orientalium facere perhibentur. And therefore the *Concilium Gangrense* condemned *Eustathius Sebastenus* for making a necessity of diversity of habits among Christians for their profession, διὰτὸ ἄσκησιν, it being acknowledged both by *Salmasius* and his great adversary *Petavius*, that in the Primitive times the Presbyters did not necessarily wear any distinct habit from the people, although the former endeavours to prove that commonly they did in *Tertullians* time; but yet that not all the Presbyters, nor they only did use a distinct habit, *viz.* the *Pallium Philosophicum*, but all the Christians who did ἀκριβῶς χρισιαζίζειν, as *Socrates* said of *Sylvanus Rhetor*, all that were ἀσκηταὶ among them, stricter professors of Christianity; among which most of the Presbyters were. And *Origen* in *Eusebius* expressly speaks of *Heraclas* a Presbyter of *Alexandria*, that for a long time κοινῇ ἐσθῆτι χρώμενον, he used only the common garment belonging to Christians, and put on the *Pallium Philosophicum* for the study of the Grecian Learning, after that Christianity began to lose in height what it got in breadth: instead of the former simplicity of their garments as well as manners, and their τριβώνια came in the use of the *byrri*, *Penulæ Dalmaticæ*, and so daily increasing, as *Strabo* saith. I say not this in the least to condemn any distinction of habit for meer decency and order, but to shew it was not the custom of the Primitive times to impose any necessity of these things upon men, nor to censure them for bare disuse of them. He must be a great stranger in the Primitive Church that takes not notice of the great diversity of rites and customs used in particular Churches, without any censuring those who differed from them; or if any by inconsiderate zeal did proceed so far, how ill it was resented by other Christians. As *Victors* excommunicating the *Quarto-decimani* for which he is so sharply reproved by *Irenæus*, who tells him, that the primitive Christians who differed in such things, did not use to abstain from one anothers communion for them, οὐ γὰρ ἐν τῇ πίστει ὄντες, διαφωνεῖν ἐδόκουν πρὸς ἑαυτούς, as *Socrates* tells us, *Those that agreed in the same faith, may differ among themselves in their rites and customs*, as he largely shews in a whole

Can. 14. in Cod. Can. in Vin. Eccles. can. 71. Salm. Not. in Tertul. de Pallio. 75. Ant. Cercoth. in Salmas. p. 12. Euseb. lib. 6. cap. 20.

Euseb. l. 5.

Socrat. hist. Eccles. l. 5. c. 23.

whole Chapter to that purpoſe, as in the obſervation of Eaſter ſome the fourteenth day of *April*, others only upon the Lords day, but ſome of the more Eaſtern Churches differed from both. In their faſts, ſome obſerved Lent but for one day, ſome two, ſome three weeks, ſome ſix weeks, others ſeven: and in their Faſts ſome abſtained from all kind of living creatures, others only from fleſh, eating fiſh: and others foul: others abſtained from fruit and eggs: others eat only dry bread, others not that neither. And ſo for their publick Aſſemblies, Some communicating every Lords day, others not. The Church of *Alexandria* had its publick Meetings and Sermons every fourth day of the week as he tells us. The ſame Church made the publick readers and interpreters, either of the Catechumeni, or of the baptized, differing therein from all other Churches: Several cuſtoms were uſed about Digamy and the marriage of Miniſters in ſeveral Churches. So about the time of Baptiſm, ſome having only one ſet time in the year for it, as at Eaſter in *Theſſaly*, others two, Eaſter and *Dominica in Albis*, ſo called from the white garments of the baptized. Some Churches in baptiſm uſed three dippings, others only one. Great differences about the time of their being Catechumeni, in ſome places longer, in others a ſhorter time. So about the excommunicate and degrees of penance (as they are called) their *Flentes*, *audientes*, *ſuccumbentes*, *conſiſtentes*, the *Communio peregrinæ*, the ſeveral Chriſms *in vertice*, *in pectore*, in ſome places at Baptiſm, in ſome after. So for placing the Altar (as they metaphorically called the Communion Table) it was not conſtantly towards the Eaſt; for *Socrates* affirms that in the great Church at *Antiochia* it ſtood to the Weſt end of the Church; and therefore it had ἀντίστροφον θύραν, a different poſiture from other Churches. And *Euſebius* ſaith out of the Panegyriſt, that in the New Church built by *Paulinus* at *Tyre*, the Altar ſtood ἐν μέσῳ *in the middle*. Theſe things may ſuffice for a taſte at preſent of which more largely elſewhere (God willing) in due time. We ſee the primitive Chriſtians did not make ſo much of any uniformity in rites and ceremonies; nay I ſcarce think any Churches in the primitive times can be produced that did exactly in all things obſerve the ſame cuſtoms: Which might eſpecially be an argument

cap. 23. *l.* 5.

Eccleſ. hiſt. l. 10. *cap.* 4.

argument of moderation in all as to these things, but especially in pretended admirers of the Primitive Church. I conclude with a known saying of *Austin*, *Indignum est ut propter ea quæ nos Deo neque digniores, neque indigniores possunt facere, alii alios vel condemnemus, vel judicemus. It is an unworthy thing for Christians to condemn and judge one another for those things which do not further us at all in our way to heaven.*

Lastly, That Religion be not clog'd with Ceremonies. They when multiplied too much, if lawful, yet strangely eat out the heart, heat, life, vigour of Christianity. Christian Religion is a plain, simple, easie thing. Christ commends his yoke to us by the easiness of it, and his burden by the lightness of it. It was an excellent testimony which *Amm. Marcellinus* a heathen gave to Christianity, when speaking of *Constantius*, *Religionem Christianam rem absolutam & simplicem anili superstitione confudit*, *That he spoiled the beauty of Christianity, by muffling it up in superstitious observations.* And it is as true which *Erasmus* said in answer to the Sorbonists, *Quò magis in corporalibus ceremoniis hæremus, hoc magis vergimus ad Judaismum. External Ceremonies teach us backward, and bring us back from Christ to Moses*; which is fully proved as to the Papists, by our learned *Rainolds* and Mr. *De Croy*; but we need no further evidence than a bare perusal of *Durandus Mimatensis* his *Rationale Divinorum officiorum.* By Ceremonies, I mean not here matters of meer decency and order, for order sake; which doubtless are lawful (if the measure of that order be not the pomp and glory of the world, but the gravity, composure, sobriety, which becomes Christianity) for when the Jews were the most strictly tyed up by a Ceremonial Law, they did introduce many things upon the account of order and decency: as the building Synagogues, their hours of prayer, their *Parashoth* and *Haphtaroth*, the Sections of the Law and Prophets; the continuation of the Passeover 14. days by *Hezekiah*, when the Law required but seven: the feast of *Purim* by *Ester* and *Mordecai*: the fasts of the 4. 5. 10. month under the captivity, the feast of dedication by the *Maccabees*. The use of Baptism in Proselyting, washing the feet before the Passeover, imitated and practised by our Saviour: So that

Eras. in declar. ad Cens. Paris. art. 14.

Conf. with Hart. chap. 8. *Div.* 8. *De Croy* 3. *Conformity, part.* 2.

matters of order and decency are allowable and fitting; but Ceremonies properly taken for actions ſignificative, and therefore appointed becauſe ſignificative, their lawfulneſs may with better ground be ſcrupled. Or taking Ceremony in *Bellarmine*'s deſcription of it, to be *actio externa quæ non aliunde eſt bona & laudabilis niſi quia ſit ad Deum colendum:* And in this ſenſe it will be hard to manifeſt any thing to be lawful, but what is founded upon a Divine precept; if it be not a matter of order, and ſo no Ceremony. And as for ſignificative Ceremonies, concerning matter of doctrine or fact, a learned Dr. puts us in mind of the old rule, that they be *paucæ & ſalubres*; and the fewer, the more wholſom: For as he obſerves from *Ariſtotle* in Inſectile Animals, the want of blood was the cauſe they run out into ſo many legs. I ſhall conclude this whole Diſcourſe with another ſpeech of S. *Auſtin*, very pertinent to our preſent purpoſe. *Omnia itaque talia quæ neque ſanctarum Scripturarum autoritatibus continentur, nec in Conciliis Epiſcoporum ſtatuta inveniuntur, nec conſuetudine univerſæ Eccleſiæ roborata ſunt, ſed diverſorum locorum diverſis moribus innumerabiliter variantur, ita ut vix aut omnino nunquam inveniri poſſunt cauſæ, quas in eis inſtituendis ſecuti ſunt homines, ubi facultas tribuitur, ſine ulla dubitatione reſecanda exiſtimo. All ſuch things which are neither founded on the authority of the Scriptures, nor determined by general Councils* (for ſo he muſt be underſtood) *nor practiſed by the Catholick Church, but vary according to the cuſtoms of places, of which no rational account can be given; aſſoon as men have power to do it, I judge them to be cut off without any ſcruple:* For which definitive ſentence of his, he gives this moſt ſufficient reaſon; *Quamvis enim neque hoc invenire poſſit, quomodo contra fidem ſint, ipſam tamen religionem (quam pauciſſimis & manifeſtiſſimis celebrationem ſacramentis miſericordia Dei liberam eſſe voluit) ſervilibus oneribus premunt, ut tolerabilior ſit conditio Judæorum, qui etiamſi tempus libertatis non agnoverint, legalibus tamen ſarcinis, non humanis præſumptionibus ſubjiciuntur: For although we cannot poſitively ſay, how ſuch things as theſe do manifeſtly impugne our faith, yet in that they load our Religion with ſuch ſervile burdens, (which the mercy of God hath left free for all other obſervations, but the*

De Sacram. lib. 2. c. 29.

Dr. Ham. of Superſtition, ſect. 39.

Ep. 119. ad Jan. cap. 19.

the celebration of ſome few and moſt clear Sacraments) *that they make our condition worſe than that of the Jews; for they, although ſtrangers to Goſpel liberty, had no burdens charged upon them by the conſtitutions of men, but only by the Law and commands of God*: Which ſentence and reaſon of his, I leave to the moſt impartial judgement of every true ſober-minded Chriſtian. And thus I am at laſt come through this field of thorns and thiſtles; I hope now to find my way more plain and eaſie. So much for the fourth Hypotheſis. The two next will be diſcharged with leſſer trouble.

Hypoth. 5. *What is left undetermin'd both by Divine poſitive Laws, and by principles deduced from the natural Law, if it be determined by lawful authority in the Church of God, doth bind the conſciences of thoſe who are ſubject to that authority, to obedience to thoſe determinations.* §. 12. I here ſuppoſe, that the matter of the Law be ſomething not predetermined, either by the Law of Nature, or Divine poſitive Laws, for againſt either of theſe no humane Law can bind the conſcience: For if there be any moral evil in the thing commanded, we are bound to obey God rather than men; in which caſe we do not formally and directly diſobey the Magiſtrate, but we chooſe to obey God before him. And as we have already obſerved, a former obligation from God or nature deſtroys a latter; becauſe God hath a greater power and authority over mens conſciences, than any humane authority can have: And my obedience to the Magiſtrate being founded upon a Divine Law, it muſt be ſuppoſed my duty to obey him firſt, by vertue of whoſe authority I obey another; then the other whom I obey becauſe the former hath commanded me. If I am bound to obey an inferiour Magiſtrate, becauſe the ſupream requires it; if the inferiour command me any thing contrary to the will and Law of the ſupream, I am not bound to obey him in it; becauſe both he derives his power of commanding, and I my obligation to obedience from the authority of the ſupream, which muſt be ſuppoſed to do nothing againſt it ſelf. So it is between God and the ſupream Magiſtrate; *by him Kings reign*; God when he gives them a Legiſlative power, doth it *cumulativè non privativè*, not ſo as to deprive himſelf of it, nor his own Laws of a binding force againſt his; So that no

Law of a Magiſtrate can in reaſon bind againſt a poſitive Law of God. But what is enacted by a lawful Magiſtrate, in things left undetermined by Gods Laws, doth even by vertue of them bind men to obedience, which require ſubjection to the higher powers *for conſcience ſake*. So that whatſoever is left indifferent, obedience to the Magiſtrate in things indifferent is not: And if we are not bound to obey in things undetermin'd by the word, I would fain know wherein we are bound to obey them? or what diſtinct power of obligation belongs to the authority the Magiſtrate hath over men? For all other things we are bound to already by former Laws; therefore either there muſt be a diſtinct authority without power to oblige, or elſe we are effectually bound to whatſoever the Magiſtrate doth determine in lawful things. And if it be ſo in general, it muſt be ſo as to all particulars contained in that general, and ſo in reference to matters of the Church, unleſs we ſuppoſe all things concerning it to be already determined in Scripture: which is the thing in Queſtion, and ſhall be largely diſcuſſed in its due place.

Rom. 13. 5.

§. 13. *Sixthly*, Hypoth. 6. *Things undetermined by the Divine Law, natural and poſitive, and actually determined by lawful authority, are not thereby made unalterable, but may be revoked, limited, and changed, according to the different ages, tempers, inclinations of men, by the ſame power which did determine them.* All humane conſtitutions are reverſible by the ſame power which made them: For the obligation of them not ariſing from the matter of them, but from the authority of the perſon binding, are conſequently alterable, as ſhall be judged by that power moſt ſutable to the ends of its firſt promulgation. Things may ſo much alter, and times change, that what was a likely way to keep men in unity and obedience at one time, may only inrage them at another: The ſame Phyſick which may at one time cure, may at another only inrage the diſtemper more. As therefore the skill of a Phyſician lies moſt in the application of Phyſick to the ſeveral tempers of his Patients: So a wiſe Magiſtrate, who is as *Nicias* ſaid in *Thucydides*, πόλεως κακῶς βουλευομένης ἰατρός. *The Phyſician to cure the diſtempers of the body Politick*; and conſiders (as *Spartian* tells us *Adrian* uſed to ſay in the Senate, *ita ſe Rempub. geſturum*,

Hiſt. lib. 6.

Spartian. in Adrian.

rum, ut ſciret populi rem eſſe, non propriam) that the peoples intereſt is the main care of the Prince, will ſee a neceſſity of altering, reforming, varying many humane conſtitutions, according as they ſhall tend moſt to the ends of Government, either in Church or State. Thence it is ſaid of the ſeveral Laws of nature, Divine and humane: that *Lex naturæ poteſt poni, ſed non deponi, Lex divina nec poni nec deponi, Lex humana & poni & deponi. The Law of Nature may be laid down* (as in caſe of marriage with Siſters in beginning of the world) *but not laid aſide; the Law of God can neither be laid down nor laid aſide: but humane Laws both may be laid down and laid aſide.* Indeed, the Laws of the Medes and Perſians are ſaid to be unalterable, (but if it be meant in the ſenſe it is commonly underſtood in) yet that very Law which made them unalterable (for they were not ſo of their own nature) was an alterable Law, and ſo was whatever did depend upon it. I conclude then, whatever is the ſubject of humane determination may lawfully be altered and changed, according to the wiſdom and prudence of thoſe in whoſe hands the care of the publick is. Thus then, as thoſe things which are either of natural or Chriſtian liberty, are ſubjected to humane Laws and reſtraints, ſo thoſe Laws are not irreverſible; but if the Fences be thrown down by the ſame authority which ſet them up, whatever was thereby incloſed, returns to the community of natural right again. So much for theſe *Hypotheſes*, which I have been the longer in explaining and eſtabliſhing, becauſe of the great influence they may have upon our preſent peace, and the near concernment they have to this whole diſcourſe, the whole Fabrick of which is erected upon theſe foundations.

Dan. 6. 8.

CHAP.

CHAP. III.

How far Church Government is founded upon the Law of nature. Two things in it founded thereon. 1. That there must be a ſociety of men for the worſhip of God. 2. That this ſociety be governed in the moſt convenient manner. A ſociety for worſhip manifeſted. Gen. 4. 26. *conſidered. The ſons of God and the ſons of men, who? Societies for worſhip among heathens evidenced by three things. 1. Solemnity of ſacrifices; ſacrificing how far natural; the antiquity of the feaſt of Firſt-fruits largely diſcovered. 2. The original of Feſtivals for the honour of their Deities. 3. The ſecrecy and ſolemnity of their myſteries. This further proved from mans ſociable nature, the improvement of it by religion, the honour redounding to God by ſuch a ſociety for his worſhip.*

§. 1. HAving now laid our foundation, we proceed to raiſe a ſuperſtructure upon it. And we now come cloſely to enquire how far Government in the Church is founded upon an unalterable divine right? That we have found to be built upon a double foundation, *the dictates of the Law of nature, and Divine poſitive Laws.* We ſhall impartially inquire into both of them; and ſee how far Church Government is ſetled upon either of theſe two. I begin then with the Law of Nature. Two general things I conceive are of an unalterable divine right in reference to this. *Firſt, That there be a ſociety and joyning together of men for the Worſhip of God. Secondly, That this Society be governed, preſerved, and maintained in a moſt convenient manner. Firſt,* that there muſt be a ſociety of men joyning together for the worſhip of God. For the dictate of nature being common to all, that God muſt be ſerved, natures requires ſome kind of mutual ſociety for the joynt performance of their common duties. An evidence of which dictate of nature appears in the firſt mention we find of any publick ſociety; ſo that a ſociety for religious worſhip was as ancient as the firſt civil ſocieties we have any records of. Nay the very firſt publick ſociety we read of was gathered upon this

this account. For we read in the early days of the world that the Charter for this ſociety was ſoon made uſe of *Gen.* 4. 26. *In the days of* Enoſh *men began to call upon the name of the Lord.* Now *Enoſh* was *Seth*'s ſon whom *Adam* had given to him in the place of *Abel*; and aſſoon as the number of men did increaſe, that men grew into Societies, they then had their publick ſocieties for Gods worſhip. For we cannot underſtand that place abſolutely, as though God had not been called on before, but now he was called on more ſignally and ſolemnly; when men were increaſed that they began to imbody themſelves into ſocieties, *Cœpit congregare populum ad tractandum ſimul dei cultum*, ſaith *Pererius*; *Tunc cœptum eſt populariter coli Deus*, *Mariana*. *Invocare*, i. e. *palam colere*, *Emanuel Sa*. relating all to the publick ſocieties being then gathered for the worſhip of the true God. From which time in all probability did commence that title of thoſe who joyned in thoſe ſocieties that they were called בני—האלהים *The ſons of God* which we read of ſoon after. *Gen.* 6. 2. as they are diſtinguiſhed from the בני—האדם the ſons of men, which titles as I am far from underſtanding in the ſenſe of the Fathers taking them for the Angels, (which in likelihood they took from the ſuppoſititious piece going under the name of *Enochs* Prophecy) ſo I cannot underſtand them as commonly they are taken, for meer diſcretive titles of the poſterity of *Seth* and *Cain*; as though all that came of *Seth* were the ſons of God, and all of *Cain* were the ſons of men. For as there certainly were many bad of *Seth's* Poſterity, becauſe the flood deſtroyed all of them, *Noah* only and his Family excepted: ſo there might be ſome good of the other, vice being no more entail'd than vertue is; and Jewels may ſometimes lie in a heap of dung: and ſo this name of the ſons of God might be appropriated to thoſe who joyned themſelves to thoſe ſocieties for Gods worſhip. In which ſenſe ſome underſtand the very words of the Text הוחל לקרא בשם יהוה *then began men to be called by the name of the Lord*: Which I ſuppoſe is the ſenſe of *Aquila* who thus renders the place, τότε ἤρχθη τὰ κεκλῆσθαι ἐν ὀνόματι Κυρίου, although it be brought by *Dionyſ. Voſſius* to juſtifie the former interpretation of the words. This ſenſe, if the conſtruction

Not. in Maim. de Idol. c. 1. ſect. 1.

of the words will bear it (which *Druſius* queſtions, but others are much for it, and *Theodoret*, the *French* and *Piſcator* ſo render it) ſeems moſt genuine and natural; and not at all impugning what I have formerly gathered from the words, but implying it; For this diſtinction of names and titles did argue a diſtinction of ſocieties among them. I am not ignorant that the generality of Jewiſh Expoſitors and many of their followers, do carry the ſenſe of the words quite another way, from the ambiguity of the ſignification of חוחל which may be interpreted as well to prophane as begin, and ſo they read it *tunc prophanatum eſt ad invocandum nomen Domini*, Then men prophaned the name of the Lord: And accordingly *Maimonides* begins Idolatry ביסו אנוש *from the days of* Enoſh. But the words will ſcarce bear this conſtruction, as *Voſſius* upon him obſerves; and beſides there is no mention at all of the name of any falſe gods, but only of the true one. So much then for the firſt original of this ſociety for religion, which we ſee began as ſoon as there was matter for a ſociety to be gathered up of. Some indeed derive this ſociety a great deal higher; and becauſe we read that *Abel* and *Cain* brought their ſacrifices, they thence infer, that it was to *Adam* who was the publick Prieſt then, and performed all publick duties of worſhip in his own perſon, and ſo was indeed Oecumenical Biſhop of the whole world, and yet had but four perſons or but few more for his charge. Such a Dioceſs we might be content to allow him that pleads for the ſame office, and derives his Title ſomewhat higher than *Adam*; for Pope *Boniface* the eight proved there muſt be but one chief Prieſt, and ſo one Pope, becauſe it is ſaid *Gen.* 1. 1. that God created the world *in Principio* not *in Principiis*; mark the number, therefore there muſt be but one beginning, and ſo one Biſhop and not many. What excellent diſputants an Infallible chair makes men! Much good may his argument do him.

V. Chamier. Pauſtrat. Cath. To. 2. l. 9. c. 9. ſ. 9. Amam. Antib. Bibl. l. 2. p. 228.

V. Silden. de Diis Syris Proleg. p. 28. & 44. Abodazara cap. 1.

Bertram. de Polit. Jud. cap. 2. p. 12. Franz. Sch. Sacrif. diſp. 2. Coppenb. Sch. Sacrif. p. 14.

§. 2. As a further evidence, how much nature dictates that ſuch a ſociety there ſhould be for Divine worſhip, we ſhall inquire into the practice of men in their diſperſion after the Flood. And what we find unanimouſly continued among them, under ſuch groſs Idolatry as they were given to, and which

which did arise not from their Idolatry as such, but from the general nature of it as a kind of worship, we have reason to look upon as one of those planks which hath escaped the common shipwrack of humane nature by the fall of man. And so though that argument from the general consent of Nations owning a way of worship though a false one, in order to the proving the existence of God be slighted by some, yet there is this double evidence in it to prove it, more than is generally taken notice of, and beyond the bare testimony its self given by that consent. *First*, From mens being so easily imposed upon by false religions, in that they are so soon gull'd into Idolatry; it argues there are some Jewels in the world, or else men would never be deceived with counterfeits; It argues that a Child hath a Father, who is ready to call every one that comes to him Father; So it argues there is some natural instinct in men towards the worship of God, when men are so easily brought to worship other things instead of God. We see no other creatures can be so imposed upon; we read of no Idolatry among the Brutes, nor that the Bees though they have a King and honour him, did ever bow their Knees to *Baal*, or worship the hive instead of him. If men had no journeys to go, others need not be sworn as the Athenians were, not to put them out of their way. If there were no inclinableness to religion, all cautions against Idolatry were superfluous; there is then from mens proneness to error, as to the person and object of worship, an evidence of a natural ὄρεξις, an instinct within towards the act of worship: And as when I see sheep flock together, even in their wandrings, I may easily gather that though they are out of their proper pastures, yet they are of a tame and sociable nature; So when we see Societies for worship were preserved among men after they were degenerated into Idolatry; is an evident argument that such associating together for the general nature of the act, doth flow from the nature of man. *Secondly*, All mens agreeing in some kind of worship, though differing as to the object and manner of it, is an evidence it comes from nature, because it plainly evinces it could be nothing taken up out of design, received by custom, nor conveyed by tradition, because even among those whose interests and designs have been contrary

Socinus præl. cap. 2.

trary to one another, and could have no mutual compacts to deceive their people, have all agreed in this thing, though almoſt in all other things they have ſtrangely differed. All other Cuſtoms and Traditions, are either changed, or loſt, among ſeveral Nations; as the rude barbarous Northern Nations, that in their inrodes and incurſions upon other places, have left in proceſs of time, almoſt all other cuſtoms but only their religion behind them. This ſticks cloſer than *Saladines* black ſhirt, or the old *Monks* clothes, which they put not off till they died. Nay even thoſe Nations, who openly, and as by a Law, violate the other received dictates of Nature, do yet maintain and hold up this. Thoſe that have had the leaſt of commerce and converſe with civilized people, have yet had their ſocieties for worſhip: And when they could find no gods to worſhip, they would rather make than want them. The Egyptians would rather ſpoil their Sallets than be without gods; and they that whipt their gods, yet had them ſtill. They who had no ſenſe of another life, yet would pray to their gods for the good things of this; and they that would not pray that the Gods would do them good, yet would that they might do them no hurt: So that in the moſt prodigious Idolatry, we have an argument for Religion, and in the ſtrange diverſities of the ways of worſhip, we have an evidence how natural a ſociety for worſhip is. This to ſhew the validity and force of the argnment drawn from conſent of Nations, even in their Idolatry.

§. 3. Three things I ſhall evidence theſe ſocieties for worſhip among the heathens by; the ſolemnity of their ſacrifices, their publick Feſtivals, and their ſecret Myſteries, all which were inſtituted peculiarly in honour of their gods: It being neceſſary in ſuch Societies for worſhip to have ſome particular Rites, whereby to teſtifie the end of ſuch ſocieties to be for the honour of their Deity, and to diſtinguiſh thoſe ſolemnities from all other. *Firſt* then for ſacrifices; *Paulus Burgenſis* obſerving how this cuſtom ſpread all the world over, concludes from thence that it was natural to men. *In qualibet ætate, & apud quaſlibet hominum nationes ſemper fuit aliqua ſacrificiorum oblatio. Quod autem eſt apud omnes, naturale eſt.* Thus far I confeſs ſacrificing natural, as it was a ſo-

Scrutin. Scrip. part. 2. diſt. 3. cap. 11.

a ſolemn and ſenſible Rite of worſhip; but if he meant by that, the deſtroying of ſome living creatures to be offered up to God, I both deny the univerſal practice of it, and its being from the dictate of nature: and I rather believe with *Fortunius Licetus*, that it was continued down by tradition, from the ſacrifices of *Cain* and *Abel* before the flood, or rather from *Noahs* after; which might the eaſier be, becauſe Nature dictating there muſt be ſome way of worſhip, and it being very agreeable to Nature it ſhould be by ſenſible ſigns, all Nations having no other rule to direct them, were willing to obſerve that Rite and Cuſtom in it, which was conveyed down to them from their Progenitors: But let us ſee what reaſon *Burgenſis* gives; *Ratio naturalis dictat, ut ſecundum naturalem inclinationem, homines ei quod eſt ſupra omnes, ſubjectionem exhibeant, ſecundum modum homini convenientem. Qui quidem modus eſt, ut ſenſibilibus ſignis utatur, ad exprimendum interiorem conceptum, ſicut ex ſenſibilibus cognitionem accipit inviſibilium. Unde ex naturali ratione procedit, quod homo ſenſibilibus ſignis utatur, offerens eas Deo in ſignum ſubjectionis & honoris ad ſimilitudinem eorum qui Dominis ſuis aliquid offerunt in recognitionem Domini.* But all this will extend no further, than that it is very agreeable to natural reaſon, that as man attains the knowledge of inviſible things by viſible, ſo he ſhould expreſs his ſenſe of inviſible things by ſome viſible ſigns, thereby declaring ſubjection to God as his Lord and Maſter, as Tenants expreſs their Homage to their Lord by offering ſomething to them. And I withal acknowledge, that as to oblations without blood, they ſeem indeed very natural: Whence we ſhall ſomewhat largely diſcover the antiquity of the Feaſts of firſt-fruits, which were the cleareſt acknowledgment of their dependence upon God, and receiving theſe things from him. *Ariſtotle* tells us, αἱ ἀρχαῖαι θυσίαι καὶ σύνοδοι φαίνονται γίνεσθαι μετὰ τὰς ἐκ τῶν καρπῶν συγκομιδάς· οἷον ἀπαρχαί. *That the moſt ancient ſacrifices and Aſſemblies appear to have been upon the in gathering of fruits, ſuch as the ſacrifices of firſt-fruits to the gods were.* To the ſame purpoſe *Porphyrius*, ἀπ' ἀρχῆς μὲν γὰρ αἱ ἐκ καρπῶν ἐγίνοντο τοῖς θεοῖς θυσίαι. The firſt ſacrifices were of firſt-fruits. And *Horace*,

V. Porphyr. περὶ ἀποχῆς.

Encyclop. ad æram Nonarii Terrig. c. 9. p. 96.

Nicomach. l. 8.

De Abſtin. lib. 2. ſ. 27.

Agricolæ prisci fortes, parvoque beati
Condita post frumenta, levantes tempore festo
Corpus, & ipsum animum spe finis dura ferentes,
Cum sociis operum & pueris & conjuge fidâ,
Tellurem porco, Sylvanum lacte piabant.

Ep ad Aug.

Although he be not so expres for offering the very fruits of the earth; yet it is evident from him, that their great Festivals in honour of their gods, were immediately after harvest, and that they had great Assemblies for that purpose, and did then solemnly sacrifice. And from these solemnities came the original of Tragedies and Comedies, as *Horace* intimates, and is largely shewed by *Isaac Casaubon* in his Treatise *de Satyricâ, Poesi.* But to fetch this yet a little higher, and so bring it downwards; The first sacrifice we read of in Scripture, was this of the fruits of the earth (unless the skins which *Adam* clothed himself with, were of the beasts sacrificed, as some conjecture:) *Cains* sacrifice was מנחה an *oblation of the fruits of the earth:* in all probability the first-fruits, as *Abel* offered the first-born of the Cattel to the Lord: This seems to have been at some solemn time of sacrificing, which is implied in מקץ ימים *At the end of days.* In process of time we render it; but the Jews understand it at the end of the year: days in Scripture being often put for years; which Interpretation if we follow, we find a very early observation of the Anniversary festival of first-fruits; But however this be, we have by unquestionable tradition, that no festival was more anciently, nor more universally observed, than this of offering the first fruits to God of their increase. The Jews were bound up so strictly to it by their Law, *Leviticus* 23. 14. that they were to eat nothing of their crop till the offering of first-fruits was made. And *Porphyrius* tells us out of *Hermippus*, that one of the Laws made for the *Athenians* by *Triptolemus*, was, Θεὸς καρποῖς ἀγάλλειν, *To feast the Gods with their fruits.* Of which *Xenocrates* there gives a twofold reason; sense of gratitude to the gods, and the easiness at all times to offer up these; by which he supposed the custom would continue longer. *Draco* afterwards put this among his Θεσμοὶ ἀΐδιοι, his unalterable laws, Θεὸς πᾶν ἀπαρχαῖς καρπῶν, To worship their gods with their first-fruits. Besides which, for other

Gen. 4. 2.

V. Ainsworth. in loc.

De abstin. l. 4. s. 22.

V. Petit. ad Leg. Att. p. 3.

other Greeks we have the testimony of *Plutarch*, οἱ πλεῖστοι τῶν Ἑλλήνων πρὸς τὰς πάνυ παλαιὰς θυσίας ἐχρῶντο ταῖς κριθαῖς, ἀπαρχόμενοι τῶν πολιτῶν. *The most of the Grecians, saith he, in their most ancient sacrifices did use barley, the first-fruits being offered by the Citizens:* and therefore the *Opuntii* called their chief Priest κριθολόχον, because he gathered in the first-fruits. *Quæst. Græc. q. 6.*

The manner of offering the first fruits among them, was much of the same nature with the *Mincha* among the Jews, which was of *fine flower mingled with oyl for a burnt offering to the Lord:* The word there used implies the bruising the ears of corn in a mortar, because they were as yet moist, and could not be ground as hard corn was. Whence, because it was not all brought to flower, the Cake was called σᾶα and χρίμνα. It is called by the *Septuagint* κριθὴ πεφρυγμένη. So I suppose it should be read, which in our great Bibles is πεφρυγμένα χόνδρα and it is called by the Greeks ἀλοχύν, which word is frequently used by *Homer* and *Apollonius Rhodius*, whom I forbear to transcribe, it being so obvious; which is expounded both by the excellent Scholiast on *Apollonius*, and by *Eustathius* and the short Scholiast on *Homer*, to be κριθαὶ μετ' ἀλῶν μεμιγμέναι, Barley and Salt mixed together. To which among the Romans the *Mola salsa* answered, of which *Festus: Est far tostum & sale conspersum*, as the *Mincha* under the Law, was always salted with salt, *Levit.* 2. 13. This *Mola salsa* among the Romans, had originally relation to the first-fruits: For the custom of offering up first-fruits among them, was as ancient as their institution of Religious Rites; as *Pliny* fully informs us. *Numa instituit Deos fruge colere, & mola salsa supplicare, atque ut autor est Hemina, far terrere:* which likewise answers to the Jewish *Mincha*, which was to be קלוי באש *tosta in igne*, parched in the fire: For which purpose *Numa* instituted the *Fornicalia*, which were *farris torrendi feria, the feasts of first-fruits among them*, the parching the corn being in order thereto: For as *Pliny* adds, *ac ne degustabant novas fruges, aut vina antequam sacerdotes primitias libassent:* which may be exactly rendred in the very words of the Law, *Leviticus* 23. 14. But though the *Mola salsa* came originally from hence, it afterwards came to be used in most sacrifices; thence the word *immolare* to sacrifice, again paral-

Levit. 23. 13.

Iliad. ά. v. 449. *Arg.* 1. *v.* 409. *&c.*

Hist. Natur. lib. 18. *c.* 2.

Lev. 2. 14.

V. Sanctorium de sacrif. c. 19.

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lel to the *Mincha acceſſorium*; as ſome call it among the Jews, which was uſed in other ſacrifices; and was diſtinct from the *Mincha per ſe* which of its ſelf was an oblation to the Lord. From this offering up bruiſed corn, ſome derive the name of *Ceres* from גרש which ſignifies as much, and was required *Leviticus* 2. 14. thence *Ovid l.* 8. *Met. Primitias frugum Cereri, ſua vina Lyæo*; but beſides *Ceres* they offered their firſt-fruits among the Greeks to *Horæ, Diana, Apollo, Veſta*, as may be ſeen in *Meurſius* in Ὡραῖα, Θαργήλια, Ἑστιάσ. Thus we ſee how theſe three Nations did agree not only in the obſervation of the Feaſt of Firſt-fruits, but very much in the ceremonies of their offering too. Only this difference may be obſerved between them: The Romans did mix their *Mola ſalſa* with water, the Jews their *Mincha* with oyl only; The Greeks did not bruiſe the corn in their ἁλοχύτα but only mixed ſalt with the grains of corn. But the Jews and Romans both bruiſed and parched it, before they offered it up for the firſt-fruits. Thus much to ſhew the antiquity and obſervation of the offering up of the firſt-fruits among the moſt ancient and civilized nations. Which though it may ſeem a Digreſſion, yet I hope not wholly unacceptable, it being likewiſe the offering of my Firſt-fruits, and therefore the more ſeaſonable.

Voſſius de Idol. l. 2. *cap.* 59

Græc. Fer.

§. 4. Proceed we now to other Feſtival Solemnities, to ſee what evidences of a ſociety for worſhip we find in them. And for this, it is apparent that the firſt original of Feſtivals among the heathen was for the honour of the Gods. Upon which account a grave and prudent author accounts the obſervation of ſome Feſtivals natural; becauſe nature doth dictate the neceſſity of ſome ſociety for the worſhip of God. For thus *Strabo*, Κοινὸν τοῦτο ἔθος Ἑλλήνων καὶ τῶν βαρβάρων ἁπάντων τὸ πάσης ἱερομηνίας μὴ ἀνέσεως ἑορταστικῆς ποιεῖσθαι, καὶ τοῦθ' ἡ φύσις αὐτὴ ὑπαγορεύει. It was the cuſtom of all nations (who are comprehended under his words) to have Feſtival days for the honour of their Gods, which nature its ſelf dictates. Hence the Greeks as *Athenæus* obſerves, πάσης εὐωχίας τῷ ἀστεῖ εἰς τοὺς θεοὺς ἀνήκειν, uſed to ſay *that their Gods beg'd them all their play-days*, After telling us of the mirth and jollity uſed after their ſacrifices, which was always the ſecond courſe at theſe Feſtivals, thence

Geogr. l. 10.

Deipnoſoph. lib. 9.

thence the Jews called their high Festival dayes יום טוב good dayes or dayes of Mirth. We read of few Nations but had these Festival solemnities for the honour of their Gods. The Persians had theirs for their God *Mithras*: The Babylonians saith *Athenæus* out of *Berosus*, had their Feast *Sacæa* which *Casaubon* would have called *Sesacæa*, because *Babylon* in Scripture is called ששך *Sesac*, as the *Ludi Romani* were from *Rome*. It is to no purpose to mention the Festivals observed by the Greeks and Romans in honour of their Gods being so many that whole books have been composed of them. That which I observe from hence, is, that Societies for the worship of God are natural; because of their solemn resting from their ordinary labour upon daies appointed for the honour of their Gods: Thereby shewing they looked upon those as peculiar dayes and themselves as peculiar Societies upon those dayes from what they were at other times. One thing more evidenceth this among them; their solemn and secret mysteries which were societies on purpose as pretended for this very end in honour of their Gods. Their σεμνὰ, μεγάλα, ἀρρητὰ μυήσεα, as they were wont to call them, preserved with the greatest secrecy by the ἐποπτικὸν. Their great and lesser *Eleusinian*, *Samothracian*, *Cotyttian Mithriacal* Mysteries, to which none were admitted without passing through many degrees, κάθαρσις, μύησις, ἔποψις, before they came to be ἐποπτικὸν perfectly initiated. Wherein they were much imitated by the Christians in the celebration of the Lords supper about the fourth or fifth Century, as is largely shewed by *Casaubon* in a most learned *Diatriba* on this subject in his Exercitations: to which I refer the reader. We see what strict rules they had for admission of any into these pretendedly sacred but truly most impious societies. In those of *Mithras* as *Suidas* and *Nonnus* tell us, they passed through eighty degrees before they were throughly initiated, and seldom escaped with life. However we may gain from them this general notion, that they looked on a peculiar distinct society as necessary for the worship and honour of the Deity they served. Thus we see *à posteriori* how a distinct society for Gods worship appears to be a dictate of Nature.

Dipnos. l. 14. cap. 10.

V. Meursii Græc. Arist. Castellion. ἑορτολόγιον. Hospin. de Festis. Mich. Benther de Fastis.

Exercit. in Bar. 16. s. 42. sed vide Gothofred. in Tim. 3. 16. Salmas. in hist. Aug. p. 31, 33. Suidas in v. Mithras. Nonnus in Naz. Stelin. p. 122. Must. in Eleusin.

We shall now see if we can evidence *à priori* that it is

§. 5.

a dictate of nature that there must be some society for the worship of God. Three things will make that appear. *First*, The sociableness of mans nature. Man is ἀγελαῖον ζῶον, a creature that loves to herd it self with those of his own kind. Ἄνευ γὰρ φίλου, οὐδεὶς ἂν ἕλοιτο ζῆν ἔχων τὰ λοιπὰ ἀγαθὰ πάντα. If a man had all other comforts of life and wanted society, he would not think his life worth leading, as *Aristotle* observes who further takes notice of the sociableness of mans nature τοὺς γὰρ φιλανθρώπους ἐπαινοῦμεν, from the general commendation that is given to courteous and affable men. I deny not but in the entring into a civil state of society, either fear or profit might be a main inducement to it; but though it be an inducement, yet there must be supposed an inclinableness to a society; or a Common wealth might be as soon set up among Tigers as men. So that they have very little ground of reason, who from the external inducements of fear or profit, in entering into civil societies, do conclude against the sociableness of mans nature. If then mans nature be sociable in all other things, then nature will tell men, they ought to be so in things of common concernment to them all, and which is every ones work or duty, as religion is; if in other things men are sociable, much more in this; For *Secondly*, Religion gives a great improvement to mans sociable nature; and therefore *Plutarch* well calls Religion συνεκτικὸν ἀπίστους κοινωνίας καὶ νομοθεσίας ἔρυσμα. *A foundation that knits and joynts societies together*. And thence wisely observes that in the constitution of Laws, πρῶτόν ἐστιν ἡ περὶ θεῶν δόξα καὶ μέγιστον· the first and greatest thing to be looked at, is, the religion established, or the opinions men entertain of the Gods. To which he subjoyns this excellent reason πόλις ἂν μοι δοκεῖ μᾶλλον ἀθέους χωρὶς, ἢ πολιτείαν τὴν περὶ θεῶν δόξης ἀναιρεθείσης, πυρὰ πάντων οὕτω λαβεῖν ἢ λαβεῖν πηγὴν. *That it is more impossible for a Common-wealth either to be formed or subsist without religion than a City to stand without foundations.* Thence a prudent States-man called *Religion* the best *Reason of State*. It appears then evidently both from reason and experience, that Religion hath a great influence upon the modelling and ordering civil societies, whence as the same *Moralist* observes, *Lycurgus* did as it were consecrate the *Lacedemonians* with religious rites, as *Numa* the *Romans*, *Jon*

Aristot. Nic. com. l. 8. c. 1.

Moral. adversus Colotem.

Lord Bacon Essay of a King.

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the *Iberians*; and *Deucalion* the *Hellens*. Whence ſome half-witted men (but I know not whether more defective in wit or grace) have (obſerving the great influence religion hath to keep men in order) been ready to look upon it as only a Politick device, to awe men with greater eaſe. It is not here a place largely to examine and refute this unworthy pretence. Only I adjure them by their only Goddeſs, Reaſon, to tell me whence come men to be ἐμπαθῶς πρὸς τὰ θεῖα καὶ ἀνθρώπινα πάντα ἔχοντες, as *Plutarch* expreſſeth it, to be ſo eaſily awed by the hopes and fears of another life more than other creatures are? Why are they at all affected with the diſcourſe of them? why cannot they ſhake off the thoughts of theſe things when they pleaſe? Are not men hereby made the moſt miſerable of creatures? for no other creature can be perſwaded that it ſhall ever quench its thirſt in thoſe rivers of pleaſures, nor make its bed in everlaſting flames. The beaſts of *Sardinia* that have their only refreſhment by the dew of heaven, yet have never any hopes to come there. The Lyon never keeps from his prey by the thoughts and fears of a great Tribunal. But ſuppoſe only mankind of all creatures ſhould be liable to be thus impoſed on, as is pretended; How comes it to paſs that in no age of the world this impoſture hath not been diſcovered, confuted, ſhaken off by ſome people as wiſe as themſelves? Or have there never been any ſuch in the world? But whence come ſome men then to be wiſer than others? Whence come ſome to know things which all the reaſon in the world could never find out, without revelation? Whence comes a power to do any thing above the courſe of nature, if there be nothing but nature? Or are all men deceived that believe ſuch thing? If ſo, then there muſt be ſomewhat that muſt deceive men; men would not deceive themſelves and they could not be ſo long impoſed upon by other men; there muſt be then ſome evil ſpirit muſt do it; and whence ſhould that come? from nature too? but then whence comes nature its ſelf? from its ſelf too, or ſomething elſe. Did it make it ſelf, or was it made by a greater power than it? if it made its ſelf, it muſt be and not be at the ſame time; it muſt be as producing and not be as produced by that act. And what is become of our Reaſon now? there muſt be then a Supreme,

Eternal, infinite being which made the world and all in it; which hath given nature such a *Touch* of its own immortality and dependance upon God, that reason capable of Religion is the most proper distinctive Character of man from all Inferior beings. And this Touch and sense being common to the whole nature, they therefore incline more to one anothers society in the joint performance of the common duties, due from them to their maker. And so Religion not only makes all other bonds firm (which without it are nothing, as oaths, Covenants, promises, and the like, without which no civil society can be upheld) but must of its self be supposed especially to tye men in a nearer society to one another in reference to the proper acts belonging to its self. *Thirdly*, it appears from the greater honour which redounds to God by a sociable way of worship. Nature that dictates that God should be worshipped, doth likewise dictate that worship should be performed in a way most for the honour and glory of God. Now this tends more to promote Gods honour, when his service is owned as a publick thing, and men do openly declare and profess themselves his subjects. If the honour of a King lies in the publickly professed and avowed obedience of a multitude of subjects; it must proportionably promote and advance Gods honour more to have a fixed, stated Worship, whereby men may in a Community and publick society declare and manifest their homage and fealty to the supream Governour of the World. Thus then we see the light of Nature dictates there should be a society and joyning together of men for and in the Worship of God.

CHAP.

CHAP. IV.

The second thing the Law of Nature dictates, that this society be maintained and governed in the most convenient manner. A further inquiry, what particular orders for Government in the Church come from the Law of Nature. Six laid down, and evidenced to be from thence. First, a distinction of some persons, and their superiority over others, both in power and order, cleared to be from the Law of Nature. The power and application of the power distinguished; this latter not from any Law of Nature binding, but permissive: therefore may be restrained. Peoples right of chooſing Pastors considered. Order distinguished from the form and manner of Government: the former natural, the other not. The second is, that the persons imployed in the service of God, should have respect answerable to their imployment, which appears from their relation to God as his servants; from the persons imployed in this work before positive Laws. Masters of families the first Priests. The Priesthood of the first born before the Law discussed: the arguments for it answered. The conjunction of civil and sacred authority largely shewed, among Egyptians, Grecians, Romans, and others. The ground of separation of them afterwards, from Plutarch *and others.*

§. 1. THe *second* thing which the light of Nature dictates, in reference to Church Government, is, That the society in which men joyn for the worship of God, be preserved, maintained, and governed in the most convenient manner. Nature, which requires society, doth require Government in that society, or else it is no society. Now we shall inquire what particular orders for Government of this society established for the worship of God, do flow from the light of Nature, which I conceive are these following.

First, *To the maintaining of a society, there is requisite a distinction of persons, and a superiority of power and order, in some over the other.* If all be rulers every man is *sui juris*, and so there can be no society, or each man must have power over the other, and that brings confusion. There must be some

then invested with power and authority over others, to rule them in such things wherein they are to be subordinate to them, that is, in all things concerning that society they are entred into. Two things are implied in this: First Power, secondly order. By power, I mean right to govern; by order, the superiority of some as rulers, the subordination of others as ruled. These two are so necessary, that no civil society in the world can be without them. For if there be no power, how can men rule? if no order, how can men be ruled, or be subject to others as their Governours? Here several things must be heedfully distinguished. *The power* from the *application* of that *power*, which we call the Title to government. The *Order its self* from the *form or manner of government*. Some of these I assert as absolutely necessary to all Government of a society, and consequently of the Church, considered without positive Laws; but others to be accidental, and therefore variable. I say then, that there be a Governing power in the Church of God, is immutable, not only by vertue of Gods own constitution, but as a necessary result from the dictate of nature, supposing a Society: but whether this power must be derived by succession, or by a free choice, is not at all determined by the light of Nature; because it may be a lawful power and derived either way: and the Law of Nature as binding, only determines of necessaries. Now in civil Government, we see that a lawful Title is by succession in some places, as by election in other. So in the Church under the Law, the power went by lineal descent, and yet a lawful power; and on the other side, none deny (setting aside positive Laws,) but it might be as lawful by choice and free election. The main reason of this is, that the Title or manner of conveying authority to particular persons, is no part of the preceptive obligatory Law of Nature, but only of the permissive; and consequently is not immutable, but is subject to Divine or humane positive determinations, and thereby made alterable: And supposing a determination, either by Scripture or lawful authority, the exercise of that natural right is so far restrained as to become sinful, according to the 3. Proposition under the 2. Hypoth. and the 5. Hypoth. So that granting at present, that people have the right

rights of choosing their own Pastors; this right being only a part of the permissive Law of Nature, may be lawfully restrained and otherwise determined, by those that have lawful authority over the people, as a civil society, according to the 5. Hypoth. If it be pleaded that they have a right by Divine positive Law, that Law must be produced; it being already proved, that no bare example, without a declaration by God that such an example binds, doth constitute a Divine Right which is unalterable. We say then, that the manner of investing Church-Governours in their authority, is not determin'd by the Law of Nature; but that there should be a power Governing, is (supposing a society) of the immutable Law of Nature, because it is that without which no society can be maintained. And this is one of those things which are of the Law of Nature, not in an absolute state of liberty, but supposing some acts of men (which once supposed) become immutable, and indispensible. As supposing propriety, every man is bound to abstain from what is in anothers possession, without his consent, by an immutable Law of Nature; which yet supposeth some act of man, *viz.* the voluntary introducing of propriety by consent: So supposing a society in being, it is an immutable dictate of the Law of Nature, that a power of Government should be maintained and preserved in it.

So I say for the second thing, Order, This, as it implies the subordination of some in a society, to others as their rulers, is immutable and indispensible; but as to the form whereby that order should be preserved, that is, whether the Government should be in the hands of one or more, is no wise determined by the obligatory Law of Nature; because either of them may be lawful and useful for the ends of Government, and so neither necessary by that Law: for as to the Law of Nature, the case is the same in civil and religious societies; now who will say, that according to the Law of Nature, any form of Government, Monarchy, Aristocracy, Democracy, is unlawful. These things are then matters of natural liberty, and not of natural necessity, and therefore must be examin'd according to positive determinations of Divine and humane Laws, where we shall speak of it. This then is clear §. 2.

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as to our purpose, That a power in the Church must be constantly upheld and preserved, fitly qualified for the ends of Government, is an immutable Law; so that this power be lodged in some particular persons to act as Governours, and so distinct from others, as subordinate to them; but whether the power of Government come from people by election, or from Pastors by ordination, or from Magistrates by commission and delegation; whether one, two, or all these wayes, is not determined by natural Law, but must be looked for in Gods positive Laws; if not there neither to be found, we must acquiesce in what is determined by lawful authority. The same I say again, as to forms of Government, whether the power of sole jurisdiction, and ordination, be invested in one person above the rank of Presbyters, or be lodged in a Colledge acting in a parity of power, is a plea must be removed from the Court of Common Law of Nature, to the Kings Bench; I mean to the positive Laws of God, or the Supream power in a Commonwealth: There being no Statutes in the Law of Nature to determine it; it must be therefore *Placitum Regis*, some positive Law must end the controversie. We therefore traverse the suit here, and shall enter it at the other Court.

§. 3. The second thing dictated by the Law of Nature, is; *That the persons imployed in the immediate service of God, and intrusted with the power of governing the society appointed for that end, should have respect paid them answerable to the nature of their imployment.* This appears to have foundation in the Law of Nature, being easily deducible from one of the first principles of that Law, that God is to be worshipped; if so, then those whose employment is chiefly to attend upon himself, ought to have greater reverence than others. By the same reason in nature, that if we do honour the King himself, the nearer any are to the Kings person in attendance and imployment, the greater honour is to be shewed them. The ground of which is, that the honour given to servants as such, is not given to their persons, but to their relation, or to the one only upon the account of the other; and so it doth not fix and terminate upon themselves, but rebounds back, and reflects upon the Original and fountain of that honour, the Prince him-

himself: So if any be honoured upon the account of their immediate imployment in the service of God, it is God who is chiefly honour'd, and not they; it being the way men have to express their honor to God, by shewing it proportionably and respectively to those who either represent him, or are imployed by him. Εἰς γὰρ τὸν ὅλων δεσπότην ἡ τιμὴ διαβαίνει, as *Chrysostome* speaks in this very case. *The honour passeth through them to God himself.* Where he largely proves this very thing from the Egyptians sparing the Land of their Priests; and argues at least for an equality of honour, from reason, to be given to those who serve the true God. Nay, he is so far from looking upon it as part of their superstition, that he mounts his argument *à pari* to one, *à minori ad majus*, ἀλλ' ὅσον ἡ διαφορὰ τῆς πλάνης πρὸς τὴν ἀλήθειαν, τοσοῦτον καὶ τῶν τοῦ ψεύδους ἱερέων, τοσοῦτον διαφορὰν καὶ πρὸς τὴν τιμὴν ὑπερβαλώμεθα, that is, *as much as truth exceeds errour, and the servants of God do the Idol priests, so much let the honour we give to them, exceed that which was given by the Heathen to theirs:* But we have a further evidence of the honourableness of this imployment, by the light of Nature, from the persons imployed in this work, before any positive Laws did restrain it: for I say not, that the Law of Nature doth dictate, that the function of those imployed in this work should be differenced from all other; that is done by Divine positive Laws; but the honour of those in that function is from the Law of Nature: which appears hence, in that in the eldest times, those who had the greatest authority civil, had likewise the sacred conjoyned with it. For as *Aristotle* rightly observes, that the original of civil government was from private families: so in those families, before they came to associate for more publick worship, the Master of the Family was the Priest of it. Thence we read of *Noahs* sacrificing, *Abrahams* duty to instruct his family, and his own command for offering up his son: we read of *Jacobs* sacrificing, and *Jobs*, and so of others. Every Master of the family then was the High-priest too, and governed his family, not only as such, but as a religious society.

Homil. 65. in Gen. 47. 26. Tom. 1. p. 505. Ed. Savil.

Politic. lib. 1. cap. 2.

Gen. 8. 20. 18, 19. 22. 2. 31. 54. Job. 42. 8.

Afterwards (from what institution we know not; but certainly the reason of it, if it were so, was to put the greater §. 4.

honour upon the eldeſt ſon) it is generally conceived, that the firſt born had the Prieſthood of the family in their poſſeſſion, till the time of the Levitical Law. The Jewiſh Doctors think that was the Birthright which *Jacob* procured from his Father, and which *Abraham* gave to *Iſaac*, when it is ſaid that he gave him כל all that he had: For ſaith *Poſtellus*, if it be meant in a literal ſenſe, how could he give thoſe gifts to his other ſons which are mentioned before? Wherefore he conjectures, by that All is meant the ſpiritual knowledge of Chriſt, which he calls *Intellectus generalis*; which might be more proper to him as a Prieſt of the family. But the plain meaning is no more, than when *Abraham* had beſtowed Legacies on his other Children, he left *Iſaac hæredem ex aſſe*, his lawful heir: I am unwilling to deny a tradition ſo generally received, among both Jewiſh and Chriſtian Writers, as the Prieſthood of the firſt-born before the Law; but this I ſay, I cannot yet find any other ground for it but tradition: no place of Scripture giving us ſufficient evidence for it, and many againſt it. That which ſerves ſufficiently for the confutation of it, is that obſervation of *Theodoret* ὅτι πανταχοῦ ἡ μετοίκων οἱ μετ' αὐτὸς γεγόνασι. *It is to be obſerved, that the younger are alwayes preferred before the firſt-born.* Which he takes notice of from the caſe he there ſpeaks to of *Ephraim* and *Manaſſes*; and ſo runs it up to *Abel* preferr'd before *Cain*, *Seth* before *Japheth*, *Abraham* before his elder brethren, *Iſaac* before *Iſmael*, *Jacob* before *Eſau*, *Judas* and *Joſeph* before *Reuben*, *Moſes* before *Aaron*, and *David* before the reſt of his Brethren; (although that was after the Law). That place which gives the greateſt countenance to the opinion is, *Numbers* 3. 41. *And thou ſhalt take the Levites for me inſtead of the firſt-born*: where it ſeems, that the firſt-born were formerly the Prieſts, in whoſe room the Levites were taken. But with ſubmiſſion to better judgments, I can ſee nothing implied in this place, but only that God having delivered their firſt-born in Egypt, *Exodus* 12. 23. and calling for them to be ſanctified to him, *Exodus* 13. 2. upon the account of the propriety he had in them, in a peculiar manner, by that deliverance (and not on the account of any ſpecial ſervice, for many were very unfit for that by reaſon of age, and which

V. Selden. de ſucceſſ. ad leg. Heb. cap. 5. Origin. cap. 15. p. 69.

Qu. 108. in Gen.

V. Iſidor. Pel. lib. 2. ep. 47. & 48. ad fin.

which is observable, God requires as well the first-born of beasts both to be sanctified and redeemed, *Numb.* 3. 41. therefore God now setling a way of worship, he gave the Israelites liberty to redeem them, and instead of them pitched on the tribe of *Levi* for his own service. Another place is *Exodus* 24. 5. where the young men are mentioned that offered burnt offering. It is confessed that the Chaldee Paraphrast and Arabick Version understand here the first-born; but however the place implies no more than that they were imployed to bring the sacrifices, for so the Septuagint render it. καὶ ἐξαπέστειλε τοὺς νεανίσκους τῶν υἱῶν Ισραὴλ καὶ ἀνήνεγκαν ὁλοκαυτώματα, or else that they were imployed as the *Popæ* only to kill the sacrifices; for we see the sprinkling of the blood which was the main thing intended here as a fœderal rite, was done by *Moses* himself, who was the High Priest of the people as well as Prince till *Aaron* and his sons were set a part, which was not till *Exodus* 28. 1, 2. and yet *Aaron* was three years elder then *Moses*, *Exod.* 7. 7. which is an evidence that *Aaron* as first-born was not the Priest; for till his consecration, *Moses* and not *Aaron* performed the offices of Priest-hood. Thence we read *Psalm* 99. 6. Moses *and* Aaron *among his Priests*. For although the word כהן be sometimes attributed to those in civil authority as, 2 *Samuel* 8. 18. compared with 1 *Chron.* 18. 17. and 2 *Sam.* 20. 26. *Gen.* 41. 50. *Exodus* 2. 16. *Job* 12. 19. Yet there is no reason so to understand it of *Moses*: And further the ground why כהן was attributed to both Prince and Priest before the Law, was, because the same person might be both; as the Priests of Egypt were Princes too, *Gen.* 41. 50. But for *Moses*, we read not only of the title but the proper offices of Priests attributed to him, as sacrificing, *Exodus* 24. 5. consecrating *Aaron* and his sons, *Exodus* 29. 35 and therefore *Aben Ezra* upon that Psalm forecited, calls him כהן הכהנים the High-Priest.

V. Selden. de succession. ad Pontif. Ebr. cap. 1. sect. & V. eum de Synedr. l. 1. cap. 16.

V. Selden. de Synedr. l. 2. cap. 2. §. 3.

The Priest-hood of *Moses* leads us to another evidence of the honour of those who were imployed in the service of God, which is that when Families increased and many associated into a Common wealth, though the private service might belong to the master of the Family, yet the publick before positive Laws restraining it, was most commonly joyned with the civil §. 5.

power. Thus *Melchizedeck* was both King and Priest in *Salem*; if with the Jews we conclude he was *Sem* (which we have little reason for) it will be a greater evidence, *Sem* being then the greatest Potentate Living. But we pass from him to other Nations after the dispersion, to see where the power over religious societies was generally held. In *Egypt* we find that their Priests were often made Kings, as *Plutarch* observes out of *Heccateus*, and is confessed by *Strabo*, *Diodorus* and others. Of the Greeks the same *Plutarch* gives us a large testimony, that among them ἀνήριθμον ἦν τὸ τῆς ἱερωσύνης ἀξίωμα πρὸς τὸ τῆς βασιλείας, *the Priesthood was accounted of equal dignity with the Kingdom.* The same doth *Aristotle* in several places in his Politicks: and particularly of the *Spartans*, of whom *Herodotus* adds that the Priest-hood of *Jupiter Cœlestis* and *Lacedæmonius* did alwayes belong to the Kings own person. For the old Latins *Virgils Anius* is sufficient: and among the Romans after the powers were separated, the *Pontifex Max.* had royal state, his *cella curulis* and *Lictors* as the Consuls had; only their Priests medled not in civil affairs, of which *Plutarch* gives a double reason; the impossibility of minding both imployments as they should do, and so must either ἀσεβεῖν τοὺς θεούς, neglect the worship of the Gods, or else βλάπτειν τοὺς πολίτας, wrong the people with the neglect of the administration of justice. The other reason is, because those that were imployed in civil affairs, were put upon execution of justice; and it was no wayes fit a man should come reeking from the blood of Citizens, to go and sacrifice to the Gods. This conjunction of civil and sacred power is attested by *Clemens Alexandrinus* of the most civilized heathens, so likewise by *Syneſius* of the most ancient Nations, by *Strabo* of the *Ephesians*, by the Roman Historians of the Roman Emperours, who from *Augustus* to *Gratian*, and some say after, continued the title of *Pontifex Maximus* among the rest of the Imperial Honours. Thus much then may serve to manifest how the Honour of those persons who are imployed in the service of God, and the Government of religious societies, is a dictate of the Law of Nature.

Plut. *de Is. & Osirid.*
Str. *Geog. l.* 17.
Quæst. Rom. 110.
Politic. l. 3. *cap.* 10. 11. *l.* 6. *cap.* 8. *lib.* 3. *c.* 4.
Herod. *l.* 6.
V. Crag. de rep. Laced. lib. 2. *c.* 2.
Qu. Rom. 110.
Strom l. 7. *ep.* 121.
Geogr. l 41.
Sueton. in Aug. c. 31.
V. Casaub. in l. & Seld. *de Synedr. l.* 1. *c.* 10.

CHAP.

CHAP. V.

The third thing dictated by the Law of Nature, is the solemnity of all things to be performed in this society; which lies in the gravity of all Rites and Ceremonies, in the composed temper of mind. Gods worship rational. His spirit destroyes not the use of reason. The Enthusiastick Spirit discovered. The circumstantiating of fit time and place for worship. The seventh day, on what account so much spoken of by the Heathens. The Romans Holy dayes. Cessation of labour upon them. The solemnity of Ceremonies used. Χερνιβ, *Περιῤῥαντηρια, silence in devotions. Exclusion of unfit persons. Solemnity of discipline: excommunication among the Jews by the sound of a Trumpet, among Christians by a Bell.*

THe next thing in reference to religious societies which nature dictates, is, *that all things, either pertaining to the immediate worship of God, or belonging to the Government of that society, be performed with the greatest solemnity and decency that may be.* Which dictate ariseth from the nature of the things themselves; which being most grave and serious, do require the greatest gravity and seriousness in the doing of them. And therefore any Ceremonies, actions, or gestures, which tend to the discomposing mens spirits, are upon that account to be exploded out of any religious societies, as being so directly repugnant to the Nature, design, and performance of religious duties. Wherefore that is the standing rule of all instituted Ceremonies, by the Law of Nature in the worship of God, that they be such as tend immediately to the advancing the serenity, tranquillity, and composure of their minds who obsetve them; and not such which in their own nature, or by continual custom of the users of them, do either rarifie mens spirits too much into a superficial lightness and vanity of spirit; or else sink them too much below the command of reason, into the power of unruly passions. A clear and composed spirit, is only fit for converse with things of so high a Nature. That region which is nearest heaven, is the freest from clouds and vapours, as well as

§. 1.

those dancing Meteors, which hover about in a light uncertain motion. It strangely unbecomes the Majesty of religious worship to have any thing vulgar, trivial, much more ridiculous in it. The worship of God is λατρεία λογική, a rational worship, as well in regard of that worship which should moderate and govern the manner of service, as in regard of those faculties which should be most imployed in it; or the foundation which the service hath upon the dictates of mens natural reason.

Rom. 13. 1.

§. 2. And as nature tells us, there should be nothing too light or superficial, so neither any thing whereby men are carried beyond the bounds of their own reason: For what men do at such a time, is not their own proper act, but is more properly to be ascribed to the power, strength, and excess of a Melancholy fancy, or else to a higher Enthusiastical spirit, which then actuates and informs their fancies: and therefore it hath been well observed, as a *Characteristical* difference between the true *Prophetical spirit*, and the false and counterfeit; that the one leaves men in the free use of their reason and faculties; the other alienates them by panick fears, tremblings, and consternations both of body and mind. To which purpose many evidences are brought by a *late learned Writer*, in his *Discourse* of *Prophecy* out of the Heathen and Christian Authors. These latter discovering the vanity of the *Montanistical spirit* by this one observation: which besides the Authors there cited, *viz.* (*Clemens Alexandrinus*, *Miltiades* in *Eusebius*, *Jerom* and *Chrysostom*) may appear from *Epiphanius*, who largely and excellently discourseth on this subject, when he discovers the folly of *Montanus* and his followers: and gives this reason why they could be no true Prophets; for those that were so, had ἐῤῥωμένην τὴν διάνοιαν, καὶ τὴν διδασκαλίαν καὶ τὴν διαλογήν· *A great consistency of sense, reason, and discourse*; and instanceth in *Isaiah* and *Ezekiel*: for, saith he, ὁ προφήτης μετὰ καταστάσεως λογισμῶν, καὶ παρακολουθήσεως ἐλάλει καὶ ἐφθέγγετο ἐκ πνεύματος ἁγίου τὰ πάντα ἐῤῥωμένως λέγων. *A true Prophet had alwayes the free use of his reason and faculties, and spake from the spirit of God with consistency and coherence of Discourse.* But it was quite otherwise with the Montanists; οὐδὲ εὐσταθοῦντες φαίνονται, οὔτε παρακολουθίαν λόγου ἔχοντες·

Mr. Smiths *dis. 6. of prophecy, cap.* 4.

Strom. 1.; *Eccl. hist. l.* 5. 17. *praef. in Is. Nahum. Habak. Chrys. in* 1 Cor. *Hom.* 29. *Epiph. haeres.* 48. Ezek. 4. 14.

τες· λοξὰ γὰρ τὰ παρ' αὐτῶν ῥήματα καὶ σκαληνὰ καὶ ἀσήμαντα ὑπάρχοντα ἐχόμενα· *They were alwayes trembling both in body and mind; used no consequence of reason in discourse; their words had no proper sense, but were all dark, intricate and obscure.* An exact description of a late prevailing Sect among us, who have their names from those consternations they were wont to fall into, and whose language carries as much obscurity with it, as any of the followers of *Montanus* could wrap up theirs into. Only instead of *Montanus* his *Paraclete*, they tell us of a *Light within*, whose office is much of the same nature with the other; And one of the great errors of *Montanus* was, the adhering to *Enthusiasms* and revelations beyond and beside the written Word; which is the *Helena* of our late Opinionists, because it gives a liberty for venting any conceptions of their own brains, under the pretence and disguise of a *Light within*. But we see hence, how far such tremblings and consternations of body or mind are from a true, sober, Prophetick spirit; and how those Christians who lived in the time when the Spirit of Prophecy had not yet left the Church of Christ (as appears by *Origen*, *Tertullian*, and others:) yet they alwayes looked upon any violent extasie, or fury, as an evidence of a false Prophet. And therefore *Tertullian*, when grown a *Proselyte* of *Montanus*, indeavours strongly to remove that apprehension of the ecstatical fury of *Montanus*, and *Prisca*, and *Maximilla*, granting, if it were true; that it was a mark of a false and counterfeit prophetical spirit. The true Prophets I grant of old, were by the strength of the impression of their visions upon their Animal spirits, sometimes thrown into a fit of trembling; but when it was not continually so, and when it was, it might be rather a present astonishment from so strange and unwonted sight (as is common in such cases) or else from the strong apprehension they had of the dismal judgments God threatned to the people; but however, it never took from them the free use of their reason and faculties, which were alwayes conversant about the matters revealed unto them. But as *Procopius Gazaeus* observes of the false Prophets, τοῖς μαινομένοις ἐοίκασιν, they were acted like mad men. Which he takes notice of upon occasion of *Sauls* Prophesying when the evil spirit came upon him

Orig. c. Celsum, lib. 2. p. 62. l. 3. p. 124.
Tertul. de an. c. 9.

Dan. 10. 11.
Habak. 3. 16.
Procop. Gaz. in 1 Reg. 18. *Ed. Meursii.*

him: and interprets with the Jewish Writers, of a madness rather than true Prophecy. Such as that of *Cassandra* when she is brought in by *Lycophron*,

Lycophr. Alex. p. 2.

Ἀσπετὸν χέασα παμμιγῆ βοὴν,
Σφιγγὸς καλαιτύπου γήρυν ἐμμιμουμένη.

Uttring a strange confused noise,
Much like unto black Sphynx*'s voice.*

Ἄσπετον, saith *Tzetzes*, that is πολλὴν, ἀπεριγράπτον· which is fully described by *Lucan*, of one pretending *Enthusiasm*:

——— *sub pectore ficta quieto*
Verba refert, nullo confusa murmure vocis,
Instinctam sacro mentem testata furore.

And soon after,

——— *non rupta trementi*
Verba sono, nec vox antri complere capacis
Sufficiens spatium ———

Whereby he discovers her not to be a true *Enthusiast*, because she used not such a strange confused voice and tremblings as they did who were their proper *Enthusiasts*, as the *Sibyls* and the *Pythian prophetess*. By this we see, that these earthquakes of violent passions are caused by the Prince of the air, and not by the gentle breathings of the Divine spirit: That these convulsions of mens spirits, are not the consequents of the inhabitation of the good Spirit, but of the violent intrusion of the evil one: That that temper of mind is most suitable to religion, which is as well free from the *bleakness* and *turbulency* of passion, as the faint *gleams* of Lightness and Vanity.

§. 3. But a further solemnity than this is required by the dictates of nature too, which lies in the circumstantiating of time and place, and a dedication of both to the end of worship. That these are very consonant to natural reason, appears by the universal consent of all Nations agreeing in any form of the Worship of a Deity: who have all had their set times, and

and fixed places to perform this worship in. I shall not insist as some have done, that the seventh day hath been particularly and solemnly observed for the worship of God by the consent of Nations: Although there be many probable arguments and plausible testimonies brought for a peculiarity of honour to, if not service on, the seventh day, out of *Josephus*, *Aristobulus Judæus* (and by him from *Linus*, *Hesiod*, *Homer*) *Clemens Alexandrinus Tertullian*, *Lampridius*, *Seneca*, *Tibullus* and many others. From which Testimonies it appears that some kind of reverence and honour was given to the seventh day; but whether that day was the seventh of the week, or the seventh of the month; (which was consecrated among the Greeks to *Apollo*; upon which the Θαργήλια and Πυανέψια, and the seventh of every month were observed in honour of him;) whether the Title of ἱερὰν ἡμέρας did belong to the seventh as one of the ἐφετάμηνοι or ἀποφράδες, *Festival* or *inauspicious days* (for it was common to both)? Whether observed by any publick religious custom, or by some private superstition, are things too large to inquire into, too difficult now to determine, and not necessary for my present purpose; It being sufficient in order to that, if they had any set times at all for worship, which shews how solemn the worship of God ought to be. And this is not denyed by any; it being so necessary a consectary from the duty of worship that there must be a time for performance of it. And not only in general that there must be some time, but a sufficient proportion of time to be consecrated to the publick exercise of piety, both from the consideration of mans obligation to divine service from his nature, from the weight and concernment of the things that time is employed in, and the inward sense of immortality upon the soul of man. But then what this proportion of time must exactly be, I see not how meer natural light could determine it, but it would rather suggest it to be highly reasonable to wait for and expect such a determination from the supreme Rector and Governor of the world. It being far more fit for the Master to prescribe unto the servant what proportion of service he expects from him; than that the servant should both divide and choose his own time, and the proportion of service which he owes to his Master. Nay it being

Josiph. c. App. l. 2. Eusib. Præp. l. 13. cap. 12. Tertul. Apol. c. 16. c. Notion. l. 1. c. 13. Lamprid. vit. Alex. Sever. Seneca ep. 95. Tibullus. eleg. 3. l. 1. Lucian. Pseudol. p. 893. ed. Paris.

being so much more reasonable for us to wait for Gods order, than for a servant for his Masters, as Gods power and Dominion over the creature is greater than that of a Master over his servant; as it is the voice and sense of nature that Gods commands cannot otherwise be but just, holy, reasonable and good: which may be otherwise from men; as the acceptance of our persons with God, lies not barely in the work done, but in the doing it out of obedience to the commands of God, which is otherwise with men; as God can give strength to perform what he commands, which man cannot; which things considered make it evident to be highly reasonable that God himself should prescribe the proportion of time, and not mans nature. But when God hath thus determined it, nature cannot but assent to that particular determination, that in consideration of the works of God, it is most reasonable that rather one day in a week, than one in a month, should be dedicated to Gods service; that the seventh day of the week upon Gods resting on that day and sanctifying it should be the precise day, unless some reason equivalent to that of the first institution, and approved by God for that end, be the ground of its alteration to another of the seven, which is the reason of the change under the Gospel.

§. 4. As an evidence of the solemnity of times for worship, the *Romans* as well as other Nations had their several *feria*, their days set apart for the honour of their Gods. In which *Macrobius* tells us the Priests held them polluted, *si indictis conceptisque opus aliquod fieret; praterea regem sacrorum flaminesque non licebat videre feriis opus fieri, & ideo per præconem denuntiabatur nè quid tale ageretur, & præcepti negligens multabatur.* If any work were done upon those days of rest, the day was polluted, and the person punished, unless it were as *Umbro* there affirms, in order to the honour of their Gods, or for necessaries of life. To which purpose *Scævola* answered him that asked what work must be done upon the *Feria: Quod pretermissum noceret, which would be spoiled by letting alone*; as taking an Oxe out of a ditch, strengthening a beam like to fall and ruine men, and thence *Maro* allowed it lawful to wash sheep if it were to cure and not only to cleanse them.

Macrob. Saturnal. l. 1. c. 16.

Balantumque

Balantumque gregem fluvio merſare ſalubri.

By which laſt word *Macrobius* ſaith it was only lawful to do it for healing them, and not in order to gain. *Servius* informs us likewiſe that the Prieſts when they went to ſacrifice, ſent their ſervants before to bid all tradeſmen leave working, *ne pro negotio ſuo & ipſorum oculos & Deorum ceremonias attaminent; Feriæ enim operæ Deorum creditæ ſunt*; Leſt by following their work they both offend them and the Gods too: For theſe Holy days are devoted to the ſervice of the Gods. *Feſtus* ſaith that upon their *dies religioſi*, *niſi quod neceſſe eſt, nefas habetur facere*; *nothing but works of pure neceſſity were to be done.* But by *dies religioſi*, probably he means the *dies atri & nefaſti*; their ominous unlucky days, as they accounted them. But however *Macrobius* diſtinguiſheth the days among the *Romans* into *Dies feſti, profeſti, & interciſi.* The *Feſti* were dedicated to the Gods, the *Profeſti* to their own work, the *Interciſi* were divided between both, at ſome hours of which it was lawful to follow their civil employments, at others not. *Nam cum hoſtia cæditur, fari nefas eſt; inter cæſa & porrecta fari licet: rurſus cum adoletur non licet.* While the ſacrifice was killing, no Courts of Judicature were opened (in which the Prætor might *fari tria verba ſolennia, do, dico, addico*, thence called *dies faſti*) but between the killing the ſacrifice and offering up the entrails (called *Porrecta* from *porricere*, which was *verbum ſacrificiale pervetuſtum*, ſaith *Turnebus*, an old word belonging to ſacrificing, *exta Diis cum dabant porricere dicebant.* Varro) then it was lawful to open the Courts; but again when the ſacrifice was offered, it was not. By which we ſee as from the light of nature, that what days and times whether weekly, monthly, or Anniverſary, were deſigned and appointed as *dies Feſti*, for the ſervice of God, were to be ſpent wholly in order to that end, and not to give ſome part to God, and take others to themſelves: as they were wont to do in their ſacrifices to offer up ſome part to the Gods, and feaſt upon the reſt themſelves; as *Athenæus* tells us that *Conon* and *Alcibiades* offered ſuch *Hecatombs* to the Gods, that they entertained the people upon the remainders of them. And from hence we may ſee how far ſhort of natural

Servius Honor. in Virgil. Georgic. 1.

Feſtus *v. religioſ.*

Adverſ. l. 24. *c.* 13.

De Re Ruſt. l. 1. *c.* 29.

Deipnoſ. l. 1.

light their Religion falls, who make no ſcruple of ſpending a great part of the days devoted to Gods worſhip in following either their imployments or recreations: Which latter ſeem more directly to impugne the end of ſuch time appointed than the other, in as much as recreations tend more to the rarifying mens ſpirits, and evaporating them into lightneſs and vanity, and ſo diſcompoſing them for the duties of ſpiritual worſhip, than mens ſerious and lawful callings do. But further, we obſerve, among the *Romans* the ſeveral ſorts of days appointed for publick worſhip. *Macrobius* reckons up four ſorts of them, *Stativæ, Conceptivæ, Imperativæ, & Nundinæ. Stativæ*, were the ſet Feſtival days obſerved every year by the whole people, and marked for that end in their *Faſti*. Such were the *Agonalia*, *Carmentalia*, *Lupercalia*, which are marked with red Letters in the *Faſti conſulares*, or the *Calendarium Romanum*, by *Joſ. Scaliger* called *Calendarium Colotianum*, which may be ſeen at large in Mr. *Selden*: beſides which, their other anniverſary feſtivals are there ſet down: which *Tertullian* ſaith, being all put together, *Pentecoſtem implere non poterunt*, make not up the number of fifty; and ſo not ſo many as our Lords days in a year are. *Conceptiva*, were ſuch feſtivals as were annually obſerved, but the days of the keeping them were every year determined by the Magiſtrates or the Prieſts, as *Latinæ, Sementivæ, Paganalia, Compitalia, Imperativæ*, were ſuch as the *Conſuls* or *Prætors* did command at their own pleaſure. Such were their ſolemn *ſupplications* in times of trouble, and their days of Triumph and Thankſgiving for victories. The *Nundinæ* were thoſe which returned every ninth day, and therefore the Letter by which they obſerved the return of the ninth day, was H. as among us Chriſtians G. which becauſe it notes the return of the Lords days, we call the *Dominical* Letter. Theſe *Nundinæ* were the days when the country people brought in their wares into the City to be ſold, which were anciently obſerved as feſtival days, ſacred to *Jupiter*; but by the *Lex Hortenſia* were made *Dies faſti*, for determining the controverſies that might ariſe among the people in their dealings; as the *Court of Pye powder* was inſtituted among us upon the ſame account. So much for the ſolemnity of time uſed in the ſervice of God.

Saturn. l. 1. c. 16.

De jure Nat. apud Heb. l. 3. cap. 15. De Idolol. c. 14.

Ano-

§. 5.

Another evidence of the solemnity of Worship, was the extraordinary care of the Heathens in preparing themselves for it, by cleansing and purifying themselves with water, for which purpose they had their χέρνιβ for cleansing their hands, and their λῦτρα and περίῤῥαντήρια standing at the porch of their Temples for their whole bodies, which custom was generally observed by the Heathens, as is very obvious in the several Writers of their customs in sacrificing; besides which they observed likewise this washing with water, by way of lustration and expiation of their faults, as *Triclinius* the Scholiast on *Sophocles* tells us, it was an ancient custom when men had murdered others, ὕδατι ἀπονίπτειν τὰς χεῖρας εἰς κάθαρσιν τ μιάσματ⊙, to wash their hands in expiation of their guilt; as *Orestes* did in *Pausanias* after the killing his mother, and some think *Pilate* in the Gospel did so for the same end; but his was only to declare his innocency, and not to expiate his sin, as is observed by many upon that place. But however, from hence we may take notice of the Spring and Fountain of the Popes Holy water: which was consecrated by *Numa* long before *Alexander* 1. to whom *Polydore Virgil*, and others attribute the first use of it in the Christian Church: And as the use of it, and the manner of sprinkling it is the same among the Papists, as it was among the Heathen; so likewise the end of it, witness the old Rime,

Hom. Iliad. Apoll. Argon. l. 1. Casaub. ad Theophr. περὶ δεισιδαιμον. Saub. de sacri. cap. 12.

Hæc aqua benedicta deleat mihi mea delicta.

Paus. l. 2. Matth. 27. 24. Casaub. ad. Bar. extr. 16. s. 75. Baron. ad An. Christi 34. Montacutius Orig. Eccles. To. 1. l. 2. p. 388. Vossius Harm. Evang. l. 2. cap. 5. V. Meyerum de Patatu Rom. l. 1. c. 32. De Croy. Conf. 1. c. 33.

Which may be sufficiently answered with the censure of a heathen:

Ah nimium faciles qui tristia crimina cædis
Tolli flumineâ posse putatis aquâ!

Too easie souls who think the spots of blood
Can be wash'd out with every watry flood!

Ovid. Fast. lib. 2.

But from this I pass to the solemnity in their worship it self, evidenced by the general silence commanded in it; which

appears by *Horace*'s *Favete linguis*, Ovids *Ore favete populi nunc cum venit aurea pompa*; Virgils *fida silentia sacris*; Festus's *linguam pascito*, i. e. *coerceto*; The *Egyptians* setting *Harpocrates* his image in the entrance to their Temples, and the Romans placing the Statue of *Angerona* on the Altar of *Volupia*. The Greeks had their κήρυκες which did ἡσυχίαν κατακηρύττειν ἐν ἱερουργίαις, as *Julius Pollux* tells us, which *Plautus* calls *facere audientiam*, to command silence: much as the Deacons afterwards did in the Primitive Church, who were wont to command silence by their *Orarium*, and were thence called κήρυκες among the Christians (for though κηρύττειν, as applied to the Bishop and Presbyters, did signifie ὁμιλεῖν and εὐαγγελίζεσθαι, *to preach*; yet as it was applied to the Deacons, it implyed only their commanding silence in order to the prayers of the *Catechumeni* called παραθέσεις, as *Aristenus* observes on *Concil. Carthag. can.* 106. But this by the way.) The *formula* used by the Greeks in commanding silence was, ἀκούετε λαοί, to which *Aristonicus* the Fidler alluded when in the market place of *Mylassa*, a Town in *Caria*, he saw many Temples, and but few Citizens, he cryed out ἀκούετε νέοι instead of ἀκούετε λαοί. But I pass these things over, as being commonly known, only observing from them the solemnity of their publick devotions, which is further seen in their solemn excluding unfit persons from partaking with them in their sacrifices. Of which *Virgil*, *Ovid*, *Statius*, *Silius Italicus*, and others among the Romans speak; and the Lictor in some sacrifices stood up, saith *Festus*, and cryed aloud, *Hostis, mulier, virgo, exesto*, i. e. *extra esto*: and to keep unfit persons the better off, the *Flamines* had a *Commentaculum*, a kind of rod in their hands. Among the Greeks the old form continued from *Orpheus* or *Onomacritus* his *Orphaica*, ἔκας ἔκας ἔστε βέβηλοι· and those that sacrifice, asked τίς τῇδε; the other answered πολλοὶ καὶ ἀγαθοί. From all these things laid together, we see the great solemnity used by them in their worship, which considered in its self, was not the product of superstition, but a dictate of the Law of Nature. And it seems most natural to the acts of discipline, that they should be performed in the most publick solemn manner, and not in any private clandestine way: which being so done, oft times lose the designed effect of them, in making

V. Brisson. de formulis lib. 1. p. 8.

Onomastic. lib. 4. c. 12.

V. Leon. Allatium de Narthec. vet. Eccles. p. 45, &c.

Athenæus Deipnos. l. 8. c. 8.

V. apud Briss. de formulis, l. 1. & apud Seld. de Syned. lib. 1. cap. 10.

Suidas in τίς τῇδε;

making men ſenſible and aſhamed of thoſe miſcarriages which made them deſerve ſo ſharp and ſevere a cenſure. Thence among the Jews, their ſolemn ſentence of the greater excommunication was pronounced by the ſound of a Trumpet; and ſo they ſay *Meroz* was excommunicated with 400 Trumpets: and the ſame number they report was uſed in excommunicating *Jeſus* of *Nazareth*, which was uſually done by the Magiſtrate, or the Rector of the Univerſity: As they tell us a ſtory of a man coming to buy fleſh at *Pombeditha* (which was one of the three Univerſities of the remaining Jews in *Chaldea*, after the return from captivity, the other were *Sora* and *Neharda*) but offering ſome opprobrious language to *R. Jehuda* then Governor of the Univerſity, he makes no more to do, but *prolatis tubis hominem excommunicavit*, brings out his Trumpets and excommunicates him. And as the uſe of bells, ſince their invention, did ſupply the former uſe of Trumpets in calling the Congregation together, (which I ſuppoſe was the account of uſing Trumpets in excommunicating from the Congregation) ſo it ſeems the bells were ſometimes uſed to ring men out of, as well as into the Church; thence the ſolemn Monkiſh curſe, curſing men with *Bell*, *Book*, and *Candle*, which can have no other ſenſe but from this practice. So much ſhall ſuffice to ſhew the foundation which the ſolemnity of worſhip, and the acts belonging to it, have in the dictates of nature manifeſted by the voice and conſent of Nations; for herein *vox populi* is *vox naturæ*, as at other times it is *Vox Dei*.

Joh. Coch. Excerpt. Gen. Sanhed. cap. 1. p. 146. Vorſtius in Virke Eliceſt. p. 226. Selden. de Syned. l. 1. cap. 7.

CHAP.

CHAP. VI.

The fourth thing dictated by the Law of Nature, that there must be a way to end controversies arising, which tend to break the peace of the society. The nature of Schism considered; Liberty of judgment and authority distinguished; the latter must be parted with in religious societies as to private persons. What way the light of nature directs to, for ending controversies, in an equality of power, that the less number yield to the greater: on what law of nature that is founded. In a subordination of power that there must be a liberty of Appeals defined. Independency of particular Congregations considered. Elective Synods. The Original of Church-Government as to congregations. The case parallel'd between civil and Church Government. Where appeals finally lodge. The power of calling Synods, and confirming their acts in the Magistrate.

§. 1. THe *fourth* thing which Nature dictates in reference to a Church society, is, *That there must be a way agreed upon to termine and decide all those controversies arising in this society which immediately tend to the breaking the peace and unity of it.* We have seen already that natural reason requires a disparity between persons in a society, to form and constitute a society, there must be order and power in some; there must be inferiority and subjection in others answering to the former; And by these we suppose a society to be now model'd. But nature must either be supposed defective in its designs and contrivements as to the necessaries required for the management of them; or else there must likewise be implyed a sufficient provision for the maintenance and preservation of the societies thus entred into. It is no wise agreeable to the wisdom of nature to erect a fabrick with such materials which though they may lie one upon the other, yet if not fitly compacted together, will fall in pieces again as soon as it is set up: nor yet to frame a body with meer flesh and bones, and the superiority of some members above the other; for unless there be joints and sinews and ligatures to hold the parts together, the

the diſſolution will immediately follow the formation of it. The end and deſign of nature is, preſervation and continuance, and therefore things neceſſary in order to that muſt be imply-ed in the firſt deſign of the being of the thing; ſo that at leaſt, as to its ſelf, there be no defect in order to that. This muſt in reaſon be ſuppoſed in all ſocieties, that when they are firſt entred, it muſt be upon ſuch terms as may be ſufficient to maintain and keep up thoſe ſocieties in that peace and order which is requiſite in order to the continuance of them. For what diſeaſes are to bodies, Age and fire are to buildings, that diviſions and animoſities are to ſocieties, all equally tending to the ruine and deſtruction of the things they ſeize upon. And as bodies are furniſhed by nature not only with a recep-tive and concoctive faculty, of what tends to their nouriſh-ment, but with an expulſive faculty of what would tend to the ruine of it. So all civil bodies muſt not only have ways to ſtrengthen them, but muſt have likewiſe a power to expel and diſperſe thoſe noxious humours and qualities which tend to diſſolve the frame, compages and conſtitution of them. A power then to prevent miſchiefs is as neceſſary in a ſociety, as a power to ſettle things in order to the advancement of the common good of ſociety. This therefore the Church as a religious ſociety muſt likewiſe be endowed with, *viz.*, a pow-er to maintain its ſelf, and keep up peace and unity within its ſelf: which cannot otherwiſe be ſuppoſed (conſidering the *bilious* humour in mens natures, not wholly purged out by Chriſtianity) without ſome way to decide controverſies which will ariſe, diſturbing the peace of it. For the clearing of this, which much concerns the power and government of the Church, we ſhall conſider what the controverſies are which tend to break the Churches peace: and what way the Law of nature finds out for the ending of them. Which we are the more neceſſitated to ſpeak to, becauſe nothing hath begotten contro-verſies more than the power of determining them hath done.

§. 2. The controverſies then which tend to break the peace of a religious ſociety, are either matter of different practice, or matter of different opinion. The former, if it comes from no juſt and neceſſary cauſe, and ends in a total ſeparation from that ſociety, the perſon guilty of it was joined with,

is justly call'd *Schism*; which (as one desires it) is an Ecclesiastical sedition, as sedition is a Lay-Schism; both being directly contrary to that communion and friendliness, which should be preserved in all societies. The latter, if impugning somewhat fundamental, in order to the end of constituting religious societies, or being a lesser matter, if wilfully taken up, and obstinately maintained, is called *Heresie*: which two are seldom seen out of each others company; and when they are together, are like the blind and lame man in the Fable, the one lent the other eyes, and the other lent him feet: one to find out what they desired, the other to run away with it when they had it. The Heretick he useth his eyes to spie out some cause or pretence of deserting communion; the Schismatick he helps him with his legs to run away from it; but between them both, they rob the Church of its peace and unity. But in order to the making clear what the Churches power is in reference to these, we are to take notice of these things. *First*, that the Church hath no direct immediate power over mens opinions, So that a matter of meer different opinion lies not properly within the cognizance of any Church power: the reason of it is this, because the end of power lodged in the Church, is to preserve the peace and unity of its self: now a meer different opinion doth not violate the bonds of society; for *opinionum diversitas & opinantium unitas non sunt ἀνάτα*. Men may preserve communion under different apprehensions. So long then as diversity of opinion tends not to the breaking the quiet and tranquillity of the Church of God, a man may safely enjoy his own private apprehensions, as to any danger of molestation from Church Governours; That is, so long as a man keeps his opinion to himself; and hath the power of being his own counsellor. It is not the difference of opinion formally considered when it is divulged abroad that is punishable, but the tendency to Schism, which lies in the divulging of it, and drawing others away from the received Truths: For the opinion its self is an internal act of the mind, and therefore is punishable by no external power, as that of the Magistrate or Church is; as no internal action is under the jurisdiction or authority of a Magistrate, any further than as necessarily con-

conjoyned with the outward action, or as it hath a direct influence upon it. The case of blasphemy, which is a thing of the highest nature in this kind, is not punishable by men, as blasphemy implies low and undervaluing thoughts of God; but as being a thing divulged (else no formal blasphemy) it tends apparently to the dishonour of God, and consequently to the breaking in pieces all such societies, whose great foundation is the belief of the Majesty and glory of God. So Idolatry under the Law was punished, as it was immediately destructive of that obedience which men did owe to the true God. And under the Gospel, it is not meer difference of opinion, judgment, and apprehension, which layes men open to the Censures of that power which moderates and rules a religious society; but the indeavour by difference of opinion to alienate mens spirits one from another, and thereby to break the society into fractions and divisions, is that which makes men liable to restraint and punishment. From whence it follows, that where the peace and unity of the Church may be preserved, and yet men keep up indifferent apprehensions of things, there is nothing deserving any severe animadversion from the rulers of that society: for a power corrective, and vindictive, must suppose something acted contrary to the Laws and rules of the society, and the end of committing that power into the hands of Governours: now here is nothing of that nature; for the Laws of mutual society are observed; and the end of Church Government is to see *nè quid Ecclesia detrimenti capiat*, lest the Church as a society be any wayes prejudiced: which cannot be while men maintain that love, affection, and communion which becomes the members of such a society. The unity then required in the Church is not an unity of judgment and apprehension among the members of it; which though it be their duty to indeavour after, yet it is no further attainable by mens indeavours than perfection is; and *Unio Christianorum* in this sense, is one of the Jewels belonging to the Crown of Heaven. There is no necessity then of inquiring after an infallible judge of controversies, unless we had some promise and assurance from Christ, that the members of his Church should never differ in their judgements from one another, and then what need of an infallible

Judge? and if Chriſt had appointed an infallible Judg, he would infallibly have diſcovered it to the minds of all ſober men; or elſe his infallibility could never attain its end: For while I queſtion whether my Judge be infallible or no, I cannot infallibly aſſent to any of his determinations. And where there is no ground for an infallible Judge, for any to pretend to it, is the worſt of ſuppoſable errours, becauſe it renders all others incurable by that apprehenſion, and takes away all poſſibility of repentance while men are under that perſwaſion. The Unity then of the Church, is that of communion, and not that of apprehenſion; and different opinions are no further liable to cenſures, than as men by the broaching of them, do endeavour to diſturb the peace of the Church of God.

§. 3. That then which ſeems moſt liable to cenſures in a Church, is Schiſm, as being immediately deſtructive of that communion which ſhould be maintained in a religious ſociety. But as to this too, we muſt obſerve ſomething further, and not to think and judge every thing to deſerve the name, which is by many call'd Schiſm; it being well obſerved by a very learned and judicious Divine, *that Hereſie and Schiſm, as they are commonly uſed, are two Theological ſcarecrows, with which, they who uſe to uphold a party in religion, uſe to fright away ſuch, as making enquiry into it, are ready to relinquiſh and oppoſe it, if it appear either erroneous or ſuſpitious. For as* Plutarch *reports of a Painter, who having unskilfully painted a Cock, chaſed away all Cocks and Hens, that ſo the imperfection of his Art might not appear by compariſon with nature; ſo men willing for ends, to admit of no fancy but their own, endeavour to hinder an enquiry into it, by way of compariſon of ſomewhat with it, peradventure truer, that ſo the deformity of their own might not appear.* Thus he. Schiſm then, as it imports a ſeparation from communion with a Church ſociety, is not a thing intrinſecally and formally evil in it ſelf, but it is capable of the differences of good and evil according to the grounds, reaſons, ends, and circumſtances inducing to ſuch a ſeparation. The withdrawing from ſociety, is but the materiality of Schiſm; the formality of it muſt be fetched from the grounds on which that is built. It is therefore a ſubject which deſerves a ſtrict inquiry,

Tract of Schiſm, 1642.

inquiry, what things thoſe are which may make a withdrawing from a religious ſociety, to which a man is joyned, to be lawful: For as it is a great ſin on the one hand, unneceſſarily to divide and ſeparate from Church ſociety; ſo it is an offence on the other ſide, to continue communion when it is a duty to withdraw it. For the reſolving this knotty and intricate Queſtion, I ſhall lay down ſome things by way of premiſal, and come cloſely to the reſolution of it.

Firſt, *Every Chriſtian is under an obligation to joyn in Church ſociety with others*; becauſe it is his duty to profeſs himſelf a Chriſtian, and to own his religion publickly, and to partake of the Ordinances and Sacraments of the Goſpel, which cannot be without ſociety with ſome Church or other. Every Chriſtian as ſuch, is bound to look upon himſelf as the member of a body, *viz.* the viſible Church of Chriſt; and how can he be known to be a member, who is not united with other parts of the body? There is then an obligation upon all Chriſtians, to ingage in a religious ſociety with others, for partaking of the Ordinances of the Goſpel. It hath been a caſe diſputed by ſome (particularly by *Grotius* the ſuppoſed Author of a little Tract, *An ſemper ſit communicandum per ſymbola*? when he deſigned the Syncretiſm with the Church of *Rome*) whether in a time when Churches are divided, it be a Chriſtians duty to communicate with any of thoſe parties which divide the Church, and not rather to ſuſpend communion from all of them. A caſe not hard to be decided; for either the perſon queſtioning it, doth ſuppoſe the Churches divided to remain true Churches, but ſome to be more pure than other; in which caſe, by vertue of his general obligation to communion, he is bound to adhere to that Church which appears moſt to retain its Evangelical purity: Or elſe he muſt ſuppoſe one to be a true Church, and the other not; in which the caſe is clearer, that he is bound to communicate with the true Church: or he muſt judge them alike impure, which is a caſe hard to be found; but ſuppoſing it ſo, either he hath joyned formerly with one of them, or he is now to chooſe which to joyn with; if he be joyned already with that Church, and ſees no other but as impure as that, he is bound to declare againſt the impurity of the Church, and

to continue his communion with it; if he be to chooſe communion, he may ſo long ſuſpend till he be ſatisfied, which Church comes neareſt to the Primitive conſtitution, and no longer. And therefore I know not whether *Chryſoſtomes* act were to be commended, who after being made a Deacon in the Church of *Antioch* by *Meletius*, upon his death, becauſe *Flavianus* came in irregularly as Biſhop of the Church, would neither communicate with him, nor with *Paulinus* another Biſhop at that time in the city, nor with the *Meletians*, but for three years time withdrew himſelf from communion with any of them. Much leſs were the Διαχειβόμενοι or the *Haeſitantes* as the *Latins* called them, to be commended, who after the determination of the *Counſil* of *Chalcedon*, againſt *Eutyches*, becauſe of great differences remaining in *Egypt* and the Eaſtern Churches, followed *Zenoes Henoticum*, and would communicate neither with the Orthodox Churches, nor *Eutychians*. But I ſee not what cenſure *Jerome* could incur, who going into the Dioceſs of *Antioch*, and finding the Churches there under great diviſions, there being beſides the *Arian* Biſhop, three others in the Church of *Antioch*, *Meletius*, *Paulinus*, and *Vitalis*, did ſo long ſuſpend communion with any of them, till he had ſatisfied himſelf about the occaſion of the Schiſm, and the innocency of the perſons and Churches ingaged in it. But if he had withdrawn longer, he had offended againſt his obligation to joyn in Church ſociety with others, for participation of Goſpel ordinances; which is the neceſſary duty of every Chriſtian.

Socrat. hiſt. Eccleſ. lib. 6. cap. 3.

V. Petavii. Diatrib. de Poteſt. Conſa. & com. uſurp. cap. 4.

§. 4. *Secondly, Every Chriſtian actually joyned in Church ſociety with others, is ſo long bound to maintain ſociety with them, till his communion with them becomes ſin.* For nothing elſe can juſtifie withdrawing from ſuch a ſociety, but the unlawfulneſs of continuing any longer in it. Suppoſing a Church then to remain true, as to its conſtitution and eſſentials, but there be many corruptions crept into that Church; whether is it the duty of a Chriſtian to withdraw from that Church becauſe of thoſe corruptions, and to gather new Churches only for purer adminiſtration, or to joyn with them only for that end? This as far as I underſtand it, is the ſtate of the Controverſie between

between our Parochial Churches, and the Congregational. The resolution of this great Question must depend on this, Whether it is a sin to communicate with Churches true as to essentials, but supposed corrupt in the exercise of discipline? For Parochial Churches are not denied to have the essentials of true Churches by any sober Congregational men. For there is in them the true word of God Preached, the true Sacraments administred, and an implicite Covenant between pastor and people, in their joyning together. All that is pleaded then, is corruption, and defect in the exercise and administration of Church order and discipline. Now that it is lawful for Christians to joyn with Churches so defective, is not only acknowledged by reverend Mr. *Norton* in his answer to *Apollonius*, but largely and fully proved. For which he layes down five propositions which deserve to be seriously considered by all, which make that a plea for withdrawing from society with other Churches. *First*, A believer may lawfully joyn himself in communion with such a Church, where he cannot enjoy all the ordinances of God; as in the Jewish Church, in our Saviours time, which refused the Gospel of Christ, and the Baptism of *John*; and yet our Saviour bids us hear the Scribes and Pharisees sitting in *Moses* chair, which hearing, saith he, doth imply *conjunctionem Ecclesiæ Judaicæ*, a joyning with the *Jewish* Church; and so with Churches rejecting an article of faith, as in the Church of *Corinth* the doctrine of the resurrection, the Churches of *Galatia* the doctrine of justification by faith; but the Apostle no where requires separation on that account from them. *Secondly*, A believer may lawfully joyn in communion with such a Church in which some corruption in the worship of God is tolerated without reformation. As the offering on high places from *Solomon* to *Hezekiah* in the Church of *Juda*, observation of circumcision, and the necessity of keeping the ceremonial Law in the Churches of *Galatia*. *Thirdly*, A believer may lawfully joyn himself in communion with such a Church in which such are admitted to sacraments, who give no evident signs of grace, but seem to be Lovers of this world; which he proves, because it is every ones main duty to examine himself, and because anothers

Respons. ad Syllog. Quæst. cap. 16.

thers ſin is no hurt to him, and therefore cannot keep him from his duty; and then by mens coming unworthily, *non polluitur communio, licet minuitur conſolatio*, the communion is not defiled, though the comfort of it be diminiſhed. He brings inſtance from the Church of *Corinth*, among whom were many ſcandalous, and had not repented, 2 *Cor.* 12. 20, 21. So in the Jewiſh Church which lay under great corruptions, when our Saviour and his Apoſtles communicated with it. *Fourthly*, Althoug a Believer joyn with ſuch a Church, he is not therefore bound with the guilt nor defiled with the pollutions of others; which he proves, becauſe it is lawful to do it, and ſo he contracts no guilt by it. *Fifthly*, A believer that hath joyned himſelf to ſuch a Church, is not bound to withdraw, and ſeparate from ſuch a Church under pain of guilt if he doth it not, becauſe it implies a contradiction to be lawful to joyn to ſuch a Church, and yet unlawful to continue in its communion; for that ſpeaks it to be a Church, and this latter to be no Church; and by that he doth imply it to be unlawful to ſeparate from any ſociety which is acknowledged to be a true Church. Thus for that *learned* and *Reverend man*, by whom we ſee that the received principles of the ſober and moderate part of thoſe of that perſwaſion, are not at ſuch a diſtance from others, as many imagine. We ſee then that communicating with a Church not ſo pure as we deſire, is no ſin by the arguments by him produced. And how it ſhould be then lawful to withdraw from ſuch a Church, meerly for purer communion, I underſtand not. This I am ſure was not the caſe of our Churches in their ſeparation from the Church of *Rome*: the main ground of which was the ſin of communicating with that Church in her Idolatry and Superſtition, and the impoſſibility of communicating with her, and not partakeing of her ſins, becauſe ſhe required a profeſſion of her errors, and the practice of her Idolatry as the neceſſary conditions of her communion; in which caſe it is a ſin to communicate with her.

1 Cor. 14. 34. 1 Cor. 6. 4. — 15.

§. 5. And this leads me now to a cloſer reſolution of the caſe of withdrawing from Churches in which men have formerly been aſſociated, and the grounds which may make ſuch a withdrawing lawful. In order to that we muſt diſtinguiſh between

between these things. *First*, Between *corruptions in the Doctrine* of a Church, and *corruptions in the practice* of a Church. *Secondly*, Between *corruptions* whether in doctrine, or practice *professed and avowed by a Church, and required as conditions of communion* in all members of it, *and corruptions crept in, and only tolerated in a Church. Thirdly*, Between *non-Communion* as to the *abuses of a Church*, and a *positive* and *total separation* from a Church, as it is such. From these things I lay down these following *Propositions.*

First, *Where any Church is guilty of corruptions, both in doctrine and practice, which it avoweth and professeth, and requireth the owning them as necessary conditions of communion with her, there a non-communion with that Church is necessary, and a total and positive separation is lawful and convenient.* I have said already that the necessity and lawfulness of this departing from communion with any Church is wholly to be resolved by an inquiry into the grounds and reasons of the action it self. So that the matter of fact must of necessity be discussed, before the matter of Law as to separation from the Church, be brought into debate. If there be a just and necessary cause for separation, it must needs be just and necessary; therefore the cause must be the ground of resolving the nature of the Action. Schism then is a separation from any Church upon any slight, trivial, unnecessary cause; but if the cause be great and important, a departure it may be, Schism it cannot be. They who define Schism to be a voluntary separation from the Church of God; if by *voluntary* they mean that where the will is the cause of it: the definition stands good and true; for that must needs be groundless and unnecessary as to the Church it self: but if by *voluntary* be meant a spontaneous departing from communion with a Church, which was caused by the corruptions of that Church, then a separation may be so voluntary, and yet no Schism: for though it be voluntary, as to the act of departing, yet that is only consequentially, supposing a cause sufficient to take such a resolution; but what is voluntary antecedently, that it hath no other Motive but faction and humour, that is properly Schism, and ought so to be looked upon. But in our present case, three things are supposed as the causes and motives to such a forsaking communion. *First*, Cor-

ruption in Doctrine; the main ligature of a religious ſociety is the conſent of it in doctrine with the rule of religion, the word of God. Therefore any thing which tends to ſubvert and overthrow the foundation of the gathering ſuch a ſociety (which is the profeſſion and practice of the true religion) yields ſufficient ground to withdraw from communion with thoſe who profeſs and maintain it. Not that every ſmall errour is a juſt ground of ſeparation, for then there would be no end of ſeparation, and men muſt ſeparate from one another, till knowledge comes to its perfection, which will only be in glory; but any thing which either directly or conſequentially doth deſtroy any fundamental article of Chriſtian faith. Which may be as well done by adding to fundamental articles, as by plain denying them. And my reaſon is this: becauſe the very *ratio* of a fundamental article doth imply, not only its neceſſity to be believed and practiſed (and the former in reference to the latter, for things are therefore neceſſary to be known, becauſe neceſſary to be done, and not *è contrà*) but likewiſe its ſufficiency as to the end for which it is called fundamental. So that the articles of faith called fundamental, are not only ſuch as are neceſſary to be believed, but if they be, are ſufficient for ſalvation to all that do believe them. Now he that adds any thing to be believed or done as fundamental, that is neceſſary to ſalvation, doth thereby deſtroy the ſufficiency of thoſe former articles in order to ſalvation; for if they were ſufficient, how can new ones be neceſſary. The caſe will be clear by an inſtance. We aſſert the ſatisfaction of Chriſt for ſinners to be a fundamental article, and thereby do imply the ſufficiency of the belief of that in order to ſalvation; now if a Pope or any other command me to believe the meritorioufneſs of good works with the ſatisfaction of Chriſt as neceſſary to ſalvation, by adding this he deſtroys the former as a fundamental article: for if Chriſts ſatisfaction be ſufficient, how can good works be meritorious? and if this latter be neceſſary, the other was not; for if it were, what need this be added? Which is a thing the Papiſts with their new Creed of *Pius* the *fourth* would do well to conſider: and others too, who ſo confidently aſſert that none of their errours touch the foundation of faith. Where there is now ſuch corruption in doctrine

ctrine ſuppoſed in a Church, withdrawing and ſeparation from ſuch a Church is as neceſſary as the avoiding of her errours, and not partaking of her ſins is. Thence we read in Scripture, of *rejecting ſuch as are hereticks*, and *withdrawing from their ſociety*, which will as well hold, as to Churches as perſons, and ſo much the more, as the corruption is more dangerous, and the relation nearer of a member to a Church, than of one man to another: And from the reaſon of that command, we read in Eccleſiaſtical Hiſtory, that when *Eulalius*, *Euphronius*, and *Placentius* were conſtituted Biſhops of *Antioch*, being Arrians, many both of the Clergy and people, who reſolved to adhere to the true faith, withdrew from the publick meetings, and had private Aſſemblies of their own. And after, when *Leontius* was made Biſhop of *Antioch*, who favour'd the Arrians, *Flavianus* and *Diodorus*, not only publickly reproved him for deſerting the Orthodox faith, but withdrew the people from communion with him, and undertook the charge of them themſelves: So when *Fœlix* was made Biſhop of *Rome*, none of the Church of *Rome* would enter into the Church while he was there. And *Vincentius Lirinenſis* tells us a remarkable ſtory of *Photinus* Biſhop of *Sirmium* in *Pannonia*, a man of great abilities and fame, who ſuddenly turned from the true faith, and though his people both loved and admired him, yet when they diſcerned his errours, *Quem antea quaſi arietem gregis ſequebantur, eundem deinceps veluti lupum fugere cœperunt. Whom they followed before as the leader of the flock, they now run away from as a devouring woolf.* This is the firſt thing which makes ſeparation, and withdrawment of communion, lawful and neceſſary, *viz.* corruption of doctrine. The *ſecond* is *Corruption of practice*: I ſpeak not of practice, as relating to the civil converſation of men, but as it takes in the *Agenda* of Religion. When Idolatrous cuſtoms, and ſuperſtitious practice are not only crept into a Church, but are the preſtribed devotion of it: Such as the adoration of the Euchariſt (chiefly inſiſted on by Mr. *Daillé* in his Apology, as a cauſe of ſeparation from the Church of *Rome*) invocation of Saints and Angels, worſhipping images, and others of a like nature, uſed among the Papiſts, which are of themſelves ſufficient to make our ſepara-

Theodoret. l.b.1.c.2.2.

Id.l. 2. Cap. 24.

Lib.2.c.17.

Adverſ. hæreſ. cap. 16.

tion from them neceſſary. But then *Thirdly*, as an acceſſion to theſe two, is the publick owning and profeſſing them, and requiring them, as neceſſary conditions of communion, from all the members of their Church, which makes our withdrawing from them unavoidably neceſſary, as long as we judge them to be ſuch corruptions as indeed they are. For men not to forſake the belief of errors, ſuppoſing them to be ſuch, is impoſſible; and not to forſake the practice and profeſſion of them upon ſuch belief, were the higheſt hypocriſie: and to do ſo, and not to forſake the communion of that Church where theſe are owned, is apparently contradictious (as Mr. *Chillingworth* well obſerves) ſeeing the condition of communion with it is, that we muſt profeſs to believe all the doctrines of that Church, not only not to be errours, but to be certain and neceſſary truths: So that on this account, to believe there are any errours in the Church of *Rome*, is actually, and *ipſo facto*, to forſake the communion of that Church; becauſe the condition of its communion is the belief that there are none: And ſo that learned and rational Author there fully proves, that thoſe who require unlawful and unneceſſary conditions of communion, muſt take the imputation of Schiſm upon themſelves, by making ſeparation from them juſt and neceſſary. In this caſe, when corruptions in opinion or practice are thus required, as conditions of communion, it is impoſſible for one to communicate with ſuch a Church without ſin; both materially, as the things are unlawful which he joyns with them in; and formally, as he judgeth them ſo. This is the firſt Propoſition.

Anſw. to the pref. p. 16. ſ. 22.

§. 6. The *ſecond* is, *Where a Church retains the purity of doctrine in its publick profeſſion, but hath a mixture of ſome corruptions, as to practice, which are only tolerated and not impoſed, it is not lawful to withdraw communion from ſuch a Church, much leſs to run into total ſeparation from it*: For here is no juſt and lawful cauſe given of withdrawing; here is no owned corruption of doctrine or practice, nor any thing required as a condition of communion, but what is in its ſelf neceſſary; and therefore there can be no plea, but only pollution, from ſuch a communion, which cannot be to any who do not own any ſuch ſuppoſed corruptions in the Church. Men may com-

communicate with a Church, and not communicate with the abuſes of a Church; for the ground of his communicating is, its being a Church, and not a corrupt or defective Church. And that men are not themſelves guilty, by partaking with thoſe who are guilty of corruptions in a Church, might be eaſily and largely proved, both from the Church of the Jews in the caſe of *Eli's* ſons, and the Chriſtian Churches of *Aſia*, and *Corinth*, where we read of many corruptions reproved, yet nothing ſpoken of the duty of the members of thoſe Churches to ſeparate from them, which would have been, had it been a ſin to communicate with thoſe Churches when ſuch corruptions were in it. Beſides, what reaſon is there that one mans ſins ſhould defile another, more than anothers graces ſanctifie another? and why corruption in another ſhould defile him more than in himſelf, and ſo keep him from communicating with himſelf? and what ſecurity any one can have in the moſt refined Churches, but that there is ſome ſcandalous, or at leaſt unworthy perſon among them? and whether then it is not his duty to try and examine all himſelf particularly, with whom he communicates? and why his preſence at one Ordinance ſhould defile it more than at another? and why at any more than in worldly converſe, and ſo turn at laſt to make men *Anchorets*, as it hath done ſome? Many other reaſons might be produced againſt this, which I forbear, it being fully ſpoke to by others. And ſo I come to the *Third* Propoſition, which is,

See Mr. Durham *Tract of ſcandal, part. 2. ch.* 12.

Where any Church, retaining purity of doctrine, doth require the owning of, and conforming to any unlawful or ſuſpected practice, men may lawfully deny conformity to, and communion with that Church in ſuch things, without incurring the guilt of Schiſm. I ſay not, men may proceed to poſitive Schiſm as it is call'd, that is, erecting of new Churches, which from *Cyprian* is call'd *erigere Altare contra Altare*; but only that withdrawing communion from a Church in unlawful or ſuſpected things, doth not lay men under the guilt of Schiſm: which becauſe I know it may meet with ſome oppoſition from thoſe men, who will ſooner call men Schiſmaticks than prove them ſo, I ſhall offer this reaſon for it to conſideration. If our ſeparation from the Church of *Rome* was therefore lawful,

becauſe ſhe required unlawful things, as conditions of her communion; then where-ever ſuch things are required by any Church, non-communion with that Church in thoſe things will be lawful too; and where non-communion is lawful, there can be no Schiſm in it. What ever difference will be thought of, as to the things impoſed by the Church of *Rome* and others, will be ſoon anſwered by the proportionable difference between bare non-conformity, and total and poſitive ſeparation. What was in its ſelf lawful and neceſſary then, how comes it to be unlawful and unneceſſary now? Did that juſtifie our withdrawing from them, becauſe they required things unlawful, as conditions of communion; and will not the ſame juſtifie other mens non conformity, in things ſuppoſed by them unlawful? If it be ſaid here, that the Popes power was an uſurpation, which is not in lawful Governours of Churches; it is ſoon replyed, That the Popes uſurpation mainly lies in impoſing things upon mens conſciences as neceſſary, which are doubtful, or unlawful; and where-ever the ſame thing is done, there is an uſurpation of the ſame nature, though not in ſo high a degree; and it may be as lawful to withdraw communion from one as well as the other. If it be ſaid that men are bound to be ruled by their Governours, in determining what things are lawful, and what not? To this it is anſwered: firſt, no true Proteſtant can ſwear blind obedience to Church Governours in all things. It is the higheſt uſurpation to rob men of the liberty of their judgments: That which we plead for againſt the Papiſts, is, that all men have eyes in their heads as well as the Pope; that every one hath a *judicium privatæ diſcretionis*, which is the rule of practice, as to himſelf; and though we freely allow a miniſterial power, under Chriſt, in the Governours of the Church, yet that extends not to an obligation upon men, to go againſt the dictates of their own reaſon and conſcience. Their power is only directive and declarative, and in matters of duty can bind no more than reaſon and evidence brought from Scripture by them doth. A man hath not the power over his own underſtanding, much leſs can others have it. *Nullus credit aliquid eſſe verum, quia vult credere id eſſe verum; non eſt enim in poteſtate hominis facere aliquid apparere intellectui ſuo verum quando*

Vitus Mirand. Apol. p.225,226.

quando voluerit. Either therefore men are bound to obey Church Governours in all things abſolutely, without any reſtriction or limitation; (which if it be not uſurpation and dominion over others faith in them, and the worſt of implicite faith in others, it is hard to define what either of them is,) or elſe if they be bound to obey only in lawful things; I then enquire who muſt be judge what things are lawful in this caſe, what not? if the Governours ſtill, then the power will be abſolute again; for to be ſure, whatever they command, they will ſay is lawful, either in its ſelf, or as they command it: if every private perſon muſt judge what is Lawful, and what not, which is commanded (as when all is ſaid, every man will be his own judge in this caſe, in things concerning his own welfare) then he is no further bound to obey than he judgeth the thing to be lawful which is commanded. The plea of an erroneous conſcience, takes not off the obligation to follow the dictates of it; for as he is bound to lay it down, ſuppoſing it erroneous, ſo he is bound not to go againſt it, while it is not laid down. But then again, if men are bound to ſubmit to Governours in the determination of lawful things, what plea could our Reformers have to withdraw themſelves from the Popes yoke? it might have ſtill held true, *Boves arabant & Aſinæ paſcebantur ſimul*, which is *Aquinas* his argument for the ſubmiſſion of inferiours in the Church to their ſuperiours: for did not the Pope plead to be a lawful Governour, and if men are bound to ſubmit to the determination of Church Governours, as to the lawfulneſs of things, they were bound to believe him in that as well as other things; and ſo ſeparation from that Church was unlawful then: So that let men turn and wind themſelves which way they will, by the very ſame arguments that any will prove ſeparation from the Church of *Rome* lawful, becauſe ſhe required unlawful things, as conditions of her communion, it will be proved lawful, not to conform to any ſuſpected or unlawful practice, required by any Church Governours upon the ſame terms; if the thing ſo required, be after ſerious and ſober inquiry, judged unwarrantable by a mans own conſcience. And withal it would be further conſidered, whether when our beſt Writers againſt the Papiſts, do lay the imputation of Schiſm,

Job 1. 14. *Summ. 2. 2. q. 2. art. 6.*

not

not on those who withdraw communion, but on them for requiring such conditions of communion (whereby they did rather eject men out of their communion, than the others separate from them) they do not by the same arguments, lay the imputation of Schism on all who require such conditions of communion, and take it wholly off from those who refuse to conform for conscience sake. To this I shall subjoyn the judgment of as learned and judicious a Divine, as most our Nation hath bred, in his excellent (though little) Tract concerning Schism. "In those Schisms, *saith he*, which con-
Mr. Hales *of Schism, p.* 8. "cern fact, nothing can be a just cause of refusing commu-
"nion, but only to require the execution of some unlawful or
"suspected act; for not only in reason, but in religion too,
"that Maxim admits of no release, *cautissimi cujusque præ-*
"*ceptum quod dubitas ne feceris.* And after instanceth in the
"Schism about image-worship, determin'd by the second
"Council of *Nice*, in which he pronounceth the Schismatical
"party to be the Synod its self, and that on these grounds:
"First, because it is acknowledged by all, that it is a thing un-
"necessary. Secondly, it is by most suspected. Thirdly, it is
"by many held utterly unlawful: Can then (saith he) the
"enjoyning of such a thing be ought else but abuse? or can the
"refusal of communion here, be thought any other thing than
"duty? Here, or upon the like occasion, to separate, may per-
"adventure bring personal trouble or danger (against which
"it concerns any honest man to have *pectus præparatum*) fur-
"ther harm it cannot do, so that in these cases you cannot be
"to seek what to think, or what you have to do. And after-
"wards propounds it as a remedy to prevent Schism, to have
"all Liturgies and publick forms of service so framed, as that
"they admit not of particular and private fancies, but con-
"tain only such things, in which all Christians do agree. For,
"saith he, consider of all the Liturgies that are, and ever
"have been, and remove from them whatever is scandalous
"to any party, and leave nothing but what all agree on; and
"the evil shall be, that the publick service and honour of
"God shall no wayes suffer: Whereas, to load our publick
"forms, with the private fancies upon which we differ, is
"the most soveraign way to perpetuate Schism unto the

"Worlds

"Worlds end. Prayer, Confeſſion, Thanksgiving, Reading "of Scriptures in the plaineſt and ſimpleſt manner, were mat- "ter enough to furniſh out a ſufficient Liturgy, though no- "thing either of private opinion, or of Church Pomp, of "Garments or preſcribed geſtures, of Imagery, of Muſick, "of matter concerning the dead, of many ſuperfluities, "which creep into the Church, under the name of Order and "Decency, did interpoſe its ſelf. To charge Churches and "Liturgies with things unneceſſary, was the firſt beginning "of all ſuperſtition; and when ſcruple of conſcience began to "be made, or pretended, there Schiſm began to break in; if "the ſpecial guides and Fathers of the Church, would be a "little ſparing of incumbring Churches with ſuperfluities, or "not over rigid, either in reviving obſolete cuſtoms, or "impoſing new, there would be far leſs cauſe of Schiſm or "ſuperſtition; and all the inconvenience were likely to enſue, "would be but this, they ſhould in ſo doing yield a little to "the imbecillity of their inferiors, a thing which St. *Paul* "would never have refuſed to do: mean while, whereſoever "falſe or ſuſpected opinions are made a piece of Church Li- "turgy, he that ſeparates is not the Schiſmatick; for it is "alike unlawful, to make profeſſion of known or ſuſpected "falſhood, as to put in practice unlawful or ſuſpected actions. Thus far that excellent perſon, whoſe words I have taken the pains to tranſcribe, becauſe of that great wiſdom, judge- ment, and moderation, contained in them; and the ſeaſon- ableneſs of his counſel and advice, to the preſent poſture of affairs among us. Were we ſo happy but to take off things granted unneceſſary by all, and ſuſpected by many, and judged unlawful by ſome; and to make nothing the bonds of our communion, but what Chriſt hath done, *viz.* one faith, one baptiſm, *&c.* allowing a liberty for matters of indifferency, and bearing with the weakneſs of thoſe who cannot bear things which others account lawful, we might indeed be re- ſtored to a true Primitive luſtre far ſooner, than by furbiſhing up ſome antiquated ceremonies, which can derive their pedi- gree no higher, than from ſome ancient cuſtom and tradi- tion. God will one day convince men, that the Union of the Church lies more in the Unity of faith and affection, than in

uniformity of doubtful rites and ceremonies. The bond of Church-communion ſhould be ſomething common to ſtrong and weak Chriſtians, as St. *Auſtin* ſaith of the rule of faith, that it is *puſillis magniſque communis*; and certainly the Primitive Church, that did not charge mens faith with ſuch a load of articles, as now in theſe latter ages men are charged with, would much leſs burden men with impoſing doubtful practices upon them, as the ground of Church-communion. And for publick forms of Divine ſervice, ſuch of all things certainly ſhould be ſo compoſed, as to be the leaſt ſubject to any ſcruple from any perſons whatſoever; being on purpoſe compoſed for the declaring mens unity and conſent in their publick worſhip: And thoſe who are the moſt addicted to any one form, can never plead it unlawful to amend it, whereas others may, that it is not lawful or convenient, at leaſt to uſe it without ſuch alterations. And therefore, were there that ſpirit of mutual condeſcenſion, which was moſt certainly in *Eccleſiâ primo primitivâ*, as *Gratian* ſomewhere ſpeaks, in the firſt and truly primitive Church in the Apoſtles time; our breaches as to this thing too, might ſoon be cloſed up, and the voice of Schiſm be heard among us no more. It argued very much the prudence and temper of the French Churches, in compoſing their publick forms of prayer, that they were ſo far from inſerting any thing controverſial into them, that *Amyraldus* tells us, the Papiſts themſelves would uſe them. *Et quod vix credibile eſſet niſi publicè viſeretur, eas inſeruerunt in eos libros in quos congeſſerunt varias precationum formulas.* And that which men would ſcarce believe unleſs they ſaw it, they inſerted them into their own prayer-books. The ſame temper was uſed by our Reformers in the compoſing our Liturgy, in reference to the Papiſts, to whom they had then an eſpecial eye, as being the only party then appearing, whom they deſired to draw into their communion, by coming as near them as they well and ſafely could: And certainly thoſe holy men, who did ſeek by any means to draw in others, at ſuch a diſtance from their principles as the Papiſts were, did never intend by what they did for that end, to exclude any truly tender conſciences from their communion. That which they laid as a bait for them, was never intended by them as a hook for thoſe of their own pro-

Ep. 57.

De ſacrif. ab Eccl. Rom. & pace inter Evang. conſt. p. 225.

profeſſion. But the ſame or greater reaſon which made them ſeek ſo much at that time (before the rent between the Papiſt and us was grown to that height it is now at; they being then in hopes by a fair complyance to have brought the whole Kingdom to joyn with them) I ſay the ſame reaſon which at that time made them yield ſo far to them then, would now have perſwaded them to alter and lay aſide thoſe things which yield matter of offence, to any of the ſame profeſſion with themſelves now. For ſurely none will be ſo uncharitable towards thoſe of his own profeſſion as not to think there is as much reaſon to yield in complyance with them, as with the Papiſts. And it cannot but be looked upon as a token of Gods ſevere diſpleaſure againſt us, if any, though unreaſonable propoſals of peace between us and the Papiſts ſhould meet with ſuch entertainment among many; and yet any fair offers of union and accommodation among our ſelves, be ſo coldly embraced and entertained.

§. 7. Having thus far ſhewed how far the obligation to keep in a Church ſociety doth reach to the ſeveral members of it: I now proceed to ſhew what way the light of nature directs men to for the quieting and compoſing any differences which may ariſe in ſuch a ſociety tending to break the peace of it. But before I come to the particular ways directed to, by the Law of nature, for ending controverſies in the Church, I ſhall lay down ſome things by way of caution, for the right underſtanding of what is already ſpoken, leſt I ſhould be thought inſtead of pleading for peace, to leave a door open for an univerſal liberty, and ſo pave a new caſeway towards *Babel*. *Firſt*, that though it be lawful not to conform to unlawful or ſuſpected practices in a Church, yet it is not therefore lawful to erect new Churches. For all other eſſentials ſuppoſed in a Church, a meer requiring conformity in ſome ſuſpected rites, doth not make it to be no true or ſound Church, as to other things, from which it is lawful to make a total divorce and ſeparation. A total ſeparation is when a new and diſtinct ſociety for worſhip is entred into, under diſtinct and peculiar officers governing by laws and Church-rules different from that form which they ſeparate from. This I do not aſſert to be therefore lawful, becauſe ſome things are required,

which means consciences are unsatisfied in: unless others proceed to eject and cast them wholly out of communion on that account, in which case their separation is necessary, and their schism unavoidable. *Secondly*, therefore I assert, that as to things in the judgment of the Primitive and Reformed Churches left undetermined by the Law of God, and in matters of meer order and decency, and wholly as to the form of Government, every one notwithstanding what his private judgment may be of them, is bound for the peace of the Church of God to submit to the determination of the lawful Governors of the Church. And this is that power of ending controversies which I suppose to be lodged in a Church society; not such a one as whereto every man is bound to conform his private judgment, but whereto every private person is bound to submit in order to the Churches peace. That is, that in any controversies arising in a Church, there is such a power supposed, that may give such an authoritative decision of the controversie in which both parties are bound to acquiesce, so as to act nothing contrary to that decision. For as it is supposed that in all contracts and agreements for mutual society, men are content to part with their own liberties for the good of the whole; so likewise to part with the authority of their own judgments, and to submit to the determination of things by the rulers of the society constituted by them. For there must be a difference made between the *liberty and freedom* of a mans own judgment, and the *authority* of it: for supposing men out of all society, every man hath both; but societies being entred, and contracts made, though men can never part with the freedom of their judgments, (men not having *a Despotical power* over their own understandings) yet they must part with the authority of their judgements, *i. e.* in matters concerning the Government of the society, they must be ruled by persons in authority over them. Else there can be nothing imagined but confusion, and disorder, instead of peace and unity in every civil state and society. The case is the same in a religious society too, in which men must be supposed to part with the authority of their own judgements in matters concerning the Government of the Church,

Church, and to ſubmit to what is conſtituted and appointed by thoſe who are intruſted with the care and welfare of it. Elſe it is impoſſible there ſhould be unity and peace in a Church conſidered as a ſociety; which is as much as to ſay, there neither is, nor can be ſuch a ſociety. And that God hath commanded that which is naturally impoſſible; I mean, freedom from diviſions, and the unity and peace of his Church: Which will appear from hence, becauſe it can never be expected that all men ſhould be exactly of one mind, Either then men retaining their private apprehenſions, are bound to acquieſce in what is publickly determined, or there is a neceſſity of perpetual confuſions in the Church of God. For the main inlet of all diſturbances and diviſions in the Church, is from hence, that men conſider themſelves abſolutely, and not as members of a governed ſociety, and ſo that they may follow their own private judgments, and are bound ſo to do in matters belonging to the Government of the Church, and not to acquieſce for the Churches peace in what is eſtabliſhed in order to the ruling of this ſo conſtituted ſociety, by lawful authority.

Theſe things premiſed, the way is now fully cleared for the diſcovering what ways are preſcribed by the Light of nature for ending controverſies in the Church; which will appear to be theſe two. §. 8.

1. *In ſocieties wherein perſons act with an equality of power, for the ending differences ariſing, the leſs number muſt always acquieſce in the determination of the greater.* And therefore it is a generally received *Axiome*, that in all ſocieties *pars major jus habet univerſitatis*, the greater part hath the power of the whole: And it is a ſtanding rule in the Civil Law, *Refertur ad univerſos quod publicè fit per majorem partem*, which is determined by the Lawyers to hold not of the perſons in power, but of the perſons preſent at the determination; as when *Alexander Severus* made fourteen of the *Viri Conſulares* to be *curatores urbis* joyned with the *Præfectus urbis*, to determine caſes brought before them, what was determined by the greater part of thoſe preſent, was looked upon as binding, as if the whole number had been there. And this *Ariſtotle* lays down as one of the fundamental laws of a Democratical Government. ὅτι ἂν δόξῃ τοῖς πλείοσι, τοῦτο τῆς πόλεως εἶναι

C. de decurion. lib. 10. l. nominationem Pet. Fabri Comment. ad tit. de diverſis Reg. Juris. Lampridius in Alex. Severo.

τὸ τέλος καὶ τοῦτ' εἶναι τὸ δίκαιον. *That muſt be looked on as a juſt and final deciſion of a caſe debated, which the major part determines.* And therefore rationally infers, that in a Democracy the poorer ſort (and ſo likewiſe the worſe) muſt always bear the greateſt ſway, becauſe they are the moſt. Which is an unavoidable inconvenience in that form of Government whether in Church or State. The ſame he elſewhere applyes to other forms of Government which have a multitude of rulers, as *Ariſtocracy* and *Oligarchy:* That which ſeems good to the moſt obtains as a Law amongſt all, Which *Appian* thus briefly expreſſeth, τὸ πλεῖον δικαιότερον· and *Dionyſ. Halicarnaſſeus* ὅ,τι ἂν δόξῃ τοῖς πλείοσι, τοῦτο νικᾶν, the one ſpeaking of matter of fact, that it doth obtain, the other of matter of Law that it ſhould do ſo. It appears then from the Law and light of nature, that whereever any multitude acts in an equality of power, the greater part have the power of the whole; not from any right which the major part hath as ſuperior over the leſs; but from the Law of nature, which will have every part ordered for the good of the whole; which good cannot oft times be obtained without a ſpecial determination on one ſide or other; nor that determination have its effect, if the Act of the major part may be reſcinded by the leſs. So that in every thing requiring ſpecial determination, this is to be eſteemed the moſt juſt and final deciſion which is done by the major part: For it would be manifeſtly unjuſt for the leſſer part to determine the greater, and therefore by the Law of nature, the greater part hath the right of the whole.

Politic. l. 6. cap. 2.

V. Grotium de jure bel. &c. lib. 2. cap. 5. ſect. 17.

2. *In a ſociety conſiſting of many particular companies or congregations, there muſt be a ſubordination of powers by the Law of nature, which grants a right of appeal to an injured perſon from the lower and ſubordinate power to the higher and ſuperior.* Appealing is defined by the Lawyers to be *Provocatio iniquæ ſententiæ querelam continens.* An addreſs to a higher power with complaint of wrong: and ſo in general it is defined by *Ulpian* to be *ab Inferioris Judicis ſententiâ ad ſuperiorem provocatio:* but as *Hottoman* obſerves, appeals may ſometimes be made to a co-ordinate power upon complaint of injuſtice done. As one Prætor, Conſul, Tribune might be appealed to, from the ſentence of another. The original of appeals then is, that injuries may be redreſſed, and in

V. Jac. Omphalium de uſurp. Leg. l. 74. 2. ulp. l. 1. D. de Appel. Hottom. com. V. Juris.

in order to that, nature dictates that there ought to be a ſubordination of powers one to another, leſt any injury done through corruption or ignorance of the immediate Judges, prove irremediable. To which purpoſe our learned *Whitaker* ſaith, that Appeals are *juris divini & naturalis, & in omni ſocietate admodum neceſſaria; propter multorum judicum vel iniquitatem, vel ignorantiam; alioqui actum eſſet de innocente, ſi non liceret ab iniqua ſententia appellare*: So that appeals are founded upon natural right, leſt men ſhould be injured in any determination of a caſe, by thoſe who have the cognizance of it. And in order to a redreſs of wrongs, and ending controverſies, nature tells us that Appeals muſt not be infinite, but there muſt be ſome power, from whence Appeals muſt not be made: What that ſhould be, muſt be determined in the ſame manner that it is in Civils; not that every controverſie in the Church muſt be determined by an Oecumenical Council, but that it is in the power of the Supreme Magiſtrate, as Supreme head in cauſes Eccleſiaſtical, to limit and fix this ſubordination, and determine how far it ſhall go, and no further. The determination being in order to the peace of the Church, which Chriſtian Magiſtrates are bound to look after, and ſee that cauſes hang not perpetually without deciſion: And ſo we find the Chriſtian Emperours conſtituting to whom Appeals ſhould be made, and where they ſhould be fixed, as *Juſtinian* and *Theodoſius* did. For when the Church is incorporated into the Commonwealth, the chief authority in a Commonwealth as Chriſtian, belongs to the ſame to which it doth as a Commonwealth: But of that already. It is then againſt the Law and light of nature, and the natural right of every man, for any particular company of men, calling themſelves a Church, to engroſs all Eccleſiaſtical power ſo into their hands, that no liberty of Appeals for redreſs can be made from it. Which (to ſpeak within compaſs) is a very high uſurpation made upon the Civil and Religious Rights of Chriſtians; becauſe it leaves men under a cauſeleſs cenſure, without any authoritative vindication of them from it. As for that way of *elective Synods*, ſubſtituted in the place of authoritative power to determine controverſies, it is a σοφὸν φάρμακον, which will never be ſoveraign enough to cure the diſtemper it is brought for:

Controv. 4. qu. 4. c. 2.

Juſt. auth. diſſ. epiſ. collat. 9. Theod. cod. de S. Eccl. c. omni.

for: For elective Synods are but like that which the Lawyers call *arbitrium boni viri*, which they diſtinguiſh from *arbitrium ex compromiſſo*, and binds no further than the party concerned doth judge the ſentence equal and juſt. So that this helps us with no way to end controverſies in the Church, any further than the perſons engaged are willing to account that juſt which ſhall be judged in their caſe. Taking then a coercive power, only for ſuch a one as may authoritatively decide a controverſie, we ſee what great reaſon there is for what the Hiſtorian obſerves: *Arbitriis ii ſe debent interponere, qui non parentem coercere poſſunt*; That all power of arbitration ſhould have ſome juridical power going along with it, to make a final end of quarrels. But that which ſeems yet more ſtrange to me, is this, that by thoſe who aſſert the Independency of particular Congregations, it is ſo hotly pleaded, that Chriſt hath given every particular Congregation a power over its own members, to determine controverſies ariſing between them: but, that if one, or many of theſe particular Congregations ſhould erre, or break the rule, he hath left no power authoritatively to decide what ſhould be done in ſuch caſes. Can we conceive that Chriſt ſhould provide more for the caſes of particular perſons, than of particular Churches? And that he ſhould give authority for determining one, and not the other? Is there any more coactive power given by any to Synods, or greater officers, than there is by them to particular Churches? which power is only declarative as to the rule, though authoritative as to perſons whereever it is lodged. Is there not more danger to Gods people, by the ſcandals of Churches, than perſons? Or did Chriſts power of governing his people reach to them only as particular congregations? Doth not this too ſtrongly favour of the *Pars Donati*? only the *Meridies* muſt be rendred a particular Congregational Church, where Chriſt cauſeth his flock to reſt? But ſuppoſing the Scripture not expreſly to lay down a rule for governing many Churches, are men outlawed of their natural rights? that ſuppoſing a wrong ſentence paſſed in the Congregation, there is no hopes, way, or means to redreſs his injury, and make his innocency known? Doth this look like an inſtitution of Chriſt? But that which I

Grot. de jure belli ac pacis, l. 3. cap. 20. ſect. 46.

Vell. Paterc. hiſt. lib. 2.

conceive is the πρῶτον ψεῦδος, and the original of this miſtake, is, that the Churches we read of firſt planted in Scripture, were only particular Congregations; and therefore there is no proper Church-power beyond them, or above them. I meddle not with the Antecedent now, which is largely diſcuſſed by others; but the extream weakneſs of the conſequence, is that I am here obliged to diſcover. For what a ſtrange ſhortneſs of diſcourſe is it to argue thus, if when there was but one Congregation, that Congregation had all power within its ſelf; then when there are more particular Congregations, it muſt be ſo; and yet this is the very foundation of all thoſe Kingdoms of *Tvetot*, as one calls them, thoſe ſole ſelf-governing Congregations. When there was but one Congregation in a Church, it was neceſſary if it had any Church power, that it muſt be lodged in that one Congregation: But when this Congregation was multiplyed into many more, is it not as neceſſary for their mutual government, there ſhould be a common power governing them together, as a joynt-ſociety? Beſides, the firſt Congregational Church in the New Teſtament, *viz.* that of *Jeruſalem*, could be no particular organical Church; for it had many, if not all, univerſal officers in it; and if they were the fixed Paſtors of that Church, they could not, according to the principles of thoſe who thus ſpeak, preach to any other Congregation but their own, by vertue of their office: And ſo, either their Apoſtolical office and commiſſion muſt be deſtroyed, if they were Paſtors of particular organical Churches; or if their Apoſtolical office be aſſerted, their Paſtorſhip of particular organical Churches is deſtroyed by their own principles, who aſſert that the Paſtor of a Church can do no Paſtoral office out of his own Congregation. The caſe is the ſame, as to other Churches planted by the Apoſtles & governed by themſelves; which two, as far as I can find in the New Teſtament, were of an equal extent; *viz.* that all the Churches planted by Apoſtles, were chiefly governed by themſelves, though they had ſubordinate officers under them. Theſe firſt Churches then were not ſuch particular organized Churches, but they were as the *firſt matter* of many Congregations to be propagated out of them; which after made one ſociety, conſiſting

of those several Congregations imbodyed together, and ruled by one common government. As in a Colledge, every Tutor hath his own pupils, which he rules; and if we suppose but one Tutor at first in the Colledge, with his pupils, all the power, both common to the society, and peculiar to his flock, is joyned together; but when there are many more Tutors, having Pupils under their charge, all these, for their better ordering as a society, must be governed by the common government of the Colledge, to which the particular government of every Tutor is and must be subordinate: But this will be more fully made appear in the original of Civil government. It is far more evident, that all Civil power lay at first in *Adam* and his family, and afterwards in particular families, than that all Church-power lay in particular Congregations at first. We may then with as good reason say, that there is no lawful Civil Government now, but that of particular families; and that no National Government hath any right or power over particular families, because families had once all Civil power within themselves; as because it is supposed, that all Church-power lay first in particular Congregations, therefore there must be no Church power above them; nor that particular Congregations are subject to such Government as is requisite for the regulating of the society in common, as comprehending in it many particular Congregations. Let them shew then, how any Government in the State is lawful, when families had the first power, and by what right now those families are subordinate to the Civil Magistrate, and what necessity there is for it; and by the very same reasons will we shew the lawfulness of Government in the Church over many Congregations, and that those are by the same right, and upon the same necessity, to subordinate themselves to the Governours of the Church considered as a society taking in many particular Congregations. The Parallel runs on further and clearer still: For as the heads of the several families after the Flood, had the command over all dwelling under their roofs, while they remained in one family; and when that increased into more, their power was extended over them too; which was the first original of Monarchy in the world: So the planters of the first Churches, that

that while the Church was but one Congregation, had power over it, when this Congregation was multiplied into more, their power equally extended over them all. And as afterwards, several heads of families upon their encrease, did constitute distinct Civil Governments, wherein were subordinate officers, but those Governments themselves were coordinate one with another: So in the Church, so many Congregations as make up one Provincial, or National society (as succession and prudence doth order the bounds of them) do make up several particular Churches, enjoying their officers ruling them, but subordinate to the Governours of the Church in common: Which society, National or Provincial, is subordinate to none beyond its self, but enjoyes a free power within its self of ordering things for its own Government, as it judgeth most convenient, and agreeable to the rules of Scripture. The summ then of what I say, concerning subordination of officers and powers in the society of the Church, is this, that by the light and Law of Nature it appears, that no individual company or Congregation, hath an absolute, independent power within its self; but that for the redressing grievances happening in them, appeals are necessary to the parties aggrieved, and a subordination of that particular Congregation, to the government of the society in common. So that, the right of appealing, and original of subordination, is from Nature; the particular manner and form of subordinate and superiour Courts, is to be fetched from positive Laws; the limitation of Appeals, extent of jurisdiction, the binding power of sentence, so far as concerns external Unity in the Church, is to be fetched from the power of the Magistrate, and civil sanctions and constitutions. The Churches power, as to Divine Law, being only directive and declarative; but being confirmed by a civil sanction, is juridical and obligatory. Concerning the Magistrates power to call, confirm, alter, repeal the decrees of Synods, see *Grotius*, *Chamier*, *Whitaker*, *Casaubon*, *Mornay*, and others, who fully and largely handle it; To whom having nothing to add, I will take nothing at all from them: As for that time when the Church was without Magistrates ruling in it, in those things left undetermined by the rule of the Word, they acted out

Grot. de Imp. summ. Potest. cap. 7. s. 14, 15, &c. 08. s. 13. Chamir. T. 2. l. 13. c. 12. Whitaker Contr. 3. q. 2. Cas. de Lib. Eccles. cap. 2. Morn. hist. Papatus pass. m.

of principles of Christian prudence agreeable to the rules of Scripture, and from the principles of the Law of nature: One of which we come in the next place to speak to. So much for the Churches power, considered as a society for ending controversies arising within its self, tending to break the peace and unity of it.

CHAP. VII.

The fifth thing dictated by the Law of nature, That all that are admitted into this society, must consent to be governed by the Laws and Rules of it. Civil societies founded upon mutual consent; express in the first entrance, implicite in others born under societies actually formed. Consent as to a Church necessary, the manner of consent determined by Christ by baptism and profession. Implicite consent supposed in all baptized, explicite, declared by challenging the priviledges, and observing the duties of the Covenant. Explicite by express owning the Gospel when adult, very useful for recovering the credit of Christianity. The Discipline of the Primitive Church cleared from Origen, Justin Martyr, Pliny, Tertullian. *The necessary requisites of Church membership, whether positive signs of grace: Explicite Covenant, how far necessary; not the formal constitution of a Church, proved by several arguments.*

§. 1. THe Law of nature dictates, *that all who are admitted into this society, must consent to be governed by the Laws and Rules of that society, according to its constitution.* For none can be looked upon as a member of a society, but such a one as submits to the Rules and Laws of the society, as constituted at the time of his entrance into it. That all civil societies are founded upon voluntary consent and agreement of parties, and do depend upon contracts and Covenants made between them, is evident to any that consider that men are not bound by the Law of nature to associate themselves with any but whom they shall judge fit; that dominion and propriety was intro-

introduced by free consent of men: and so there must be Laws and Bonds fit, agreement made, and submission acknowledged to those Laws; else men might plead their natural right and freedom still, which would be destructive to the very nature of those societies. When men then did first part with their natural liberties, two things were necessary in the most expres terms to be declared; first a free and voluntary consent to part with so much of their natural rights as was not consistent with the well being of the society: secondly, a free submission to all Laws, which should be agreed upon at their entrance into society, or afterwards as they see cause. But when societies were already entred, and children born under them, no such expres consent was required in them, being bound by vertue of the protection, they find from authority to submit to it, and an implicite consent is supposed in all such as are born under that authority. But for their more full understanding of this obligation of theirs, and to lay the greater tye of obedience upon them, when they come to understanding, it hath been conceived very requisite by most States to have an explicite declaration of their consent, either by some formal oath of allegiance, or some other way sufficiently expressing their fidelity, in standing to the Covenants long since supposed to be made. To apply this now to the Church.

We have all all along hitherto considered the Church in general, as a society or corporation which was necessary in order to our discovering what is in it from the light of nature without positive Laws.

§. 2. But here we must take notice of what was observed by Father *Laynez* the Jesuit at the Council of *Trent*, That it is not with the Church as with other societies, which are first themselves, and then constitute the Governours. But the Governour of this society was first himself, and he appointed what Orders, Rules, and Laws should govern this society; and wherein he hath determined any thing, we are bound to look upon that, as necessary to the maintaining of that society which is built upon his constitution of it. And in many of those orders which Christ hath setled in his Church; the foundation of them is in the Law of nature; with the particular de-

Hist. Council of Trent. l. 7. p. 612.

termination of the manner of them is from himself. Thus it is in the case we now are upon; nature requires that every one entring into a society, should consent to the rules of it. Our Saviour hath determined how this consent should be expressed, *viz.* by receiving baptism from those who have the power to dispense it: which is the federal rite whereby our consent is expressed to own all the Laws and submit to them, whereby this society is governed: which at the first entring of men into this society of the Church was requisite to be done by the express and explicite consent of the parties themselves, being of sufficient capacity to declare it; but the Covenant being once entred into by themselves, not only in their own name, but in the name of their posterity (a thing implyed in all Covenants wherein benefits do redound to posterity, that the obligation should reach them too, but more particular in this, it having been alwayes the tenour of Gods Covenants with men, to enter the seed as well as the persons themselves, as to outward priviledges) an implicite consent as to the children in Covenant, is sufficient to enter them upon the priviledges of it by baptism, although withal it be highly rational for their better understanding the ingagement they entred into, that when they came to age they should explicitely declare their own voluntary consent to submit to the Laws of Christ, and to conform their lives to the profession of Christianity, which might be a more than probable way, and certainly most agreeable both to reason and Scripture to advance the credit of Christianity once more in the world, which at this day so much suffers by so many professing it without understanding the terms of it; who swallow down a profession of Christianity, as boyes do pills, without knowing what it is compounded of, which is the great reason it works so little alteration upon their spirits.

Deut. 29. 15.
Act. 2. 38.

§. 3. The one great cause of the great flourishing of religion in the Primitive times, was certainly the strictness used by them in their admission of members into Church societies, which is fully described by *Origen* against *Celsus*, who tells us they did φιλοπαθεῖν τὸν βίον καὶ τὰς ἀγωγὰς τῆς σεμνότητος, *inquire into their lives and carriages, to discern their seriousness in the profession of Christianity during their being Catechumeni*: Who after tells

Lib. 3. p. 142, 143. & 147.

tells us they did require τὸ καθαρθῆναι ὑπὸ τοῦ λόγου, καὶ ὅση δύναμις βέλτιον βεβιωκέναι, *true repentance and reformation of life*, τὸ τηνικάδε καλοῦμεν αὐτοὺς ἐπὶ τὰς παρ' ἡμῖν τελετὰς, *then we admit them to the participation of our mysteries.* I confess the Discipline of the Primitive Church hath been very much misrepresented to us, by mens looking upon it through the glass of the modern practices and customs obtaining among us; as though all this only concerned the admission to the Lords Supper; though that was alwayes in chiefest veneration in the Church of God, as being the chief of Gospel mysteries (as they loved to speak) yet I cannot find that any were admitted to all other Ordinances freely with them who were debarred from this: but their admission to one, did include an admission to all: so on the contrary, I find none admitted to baptism, who were not to the Lords Supper; and if *Catechumeni*, presently after, only confirmation intervening (which will hardly be ever found separate from baptism, till the distinction of the double *Chrisme in vertice & pectore* came up, which was about *Jeroms* time.)

Tertul. Apol. c. 39. describes exclusion to be *à communicatione Orationis & conventus, & omnis sancti commercii.*

§. 4.

The thing then which the Primitive Church required in admitting persons adult to baptism, and so to the Lords Supper, was a serious visible profession of Christianity, which was looked upon by them as the greatest evidence of their real consent to the rules of the Gospel. For that purpose it will be worth our taking notice what is set down by *Justin Martyr, Apolog.* 2. speaking of the celebration of the Lords Supper; καὶ ἡ τροφὴ αὕτη καλεῖται παρ' ἡμῖν εὐχαριστία, ἧς οὐδενὶ ἄλλῳ μετασχεῖν ἔξον ἐστὶν ἢ τῷ πιστεύοντι ἀληθῆ εἶναι τὰ δεδιδαγμένα ὑφ' ἡμῶν, καὶ λουσαμένῳ τὸ ὑπὲρ ἀφέσεως ἁμαρτιῶν καὶ εἰς ἀναγέννησιν λουτρὸν, καὶ οὕτως βιοῦντι ὡς ὁ Χριστὸς παρέδωκεν, where we see what was required before admission to the Lords Supper, *a profession of faith in the truths of the Gospel, and answerable life to the Gospel*, *without which it was not lawful to participate of the Lords Supper.* And further we see by *Pliny*, that the Christians of those times did make use of some solemn ingagements among themselves which he calls *Sacramenta*; they did *se sacramento obstringere ne furta, ne latrocinia ne adulteria committerent, ne fidem fallerent,* &c. and *Tertullian* reports it out of *Pliny*, that he found nothing *de Sacramentis eorum* (as *Junius* first reads it out of

P. 97. *ed. Paris.* 1635.

Lib. 10. *ep.* 97.

M. S.

M. S. for *de ſacris*, after him *Heraldus*, and as it is now read in *Rigaltius* Edition) beſides *cautelam & ad confederandum diſciplinam, &c. ſcelera prohibentes*, which *Euſebius* calls συνθήκας, *pacta*, Covenants between them; and ſo Mr. *Selden* interprets the place of *Origen* in the beginning of his book againſt *Celſus*, where *Celſus* begins his charge againſt the Chriſtians, ὡς συνθήκας κρύβδην πρὸς ἀλλήλους ποιουμένων χειστιανῶν παρὰ τὰ νενομισμένα· where he takes συνθήκας not as *Gelenius* renders it, *conventus*, but in its proper ſenſe for contracts or covenants that were made by the Chriſtians as by other ſocieties, only permitted, and tolerated by the Commonwealth. And we find by *Pliny*, that when the *hetæriæ* were forbidden, he brought the Chriſtian, in under the Law; the ground of thoſe ſocieties was only a mutual compact and agreement among the perſons of it; Such as among the Eſſens of the Jews, and the Schools of Philoſophers among the Greeks. *Joſephus* mentions the ὅρκους φοιτώδεις of thoſe who were admitted into the ſociety of the Eſſens. And ſo in all other ſocieties which ſubſiſt only from mutual confederation in a Commonwealth. Thus I acknowledge it to be in Chriſtianity, that there muſt be ſuch a ſuppoſed contract or voluntary conſent in the perſons ingaged in ſuch ſocieties. But with this obſervable difference, that although there muſt be a conſent in both, yet the one is wholly free, as to any pre-ingagement or obligation to it, as well as to the act its ſelf; but in religious ſocieties, though the act of conſent be free, yet there is an antecedent obligation upon men, binding them to this voluntary conſent. The want of the underſtanding this difference, is, the very foundation of that opinion men call *Eraſtianiſm*; for the followers of *Eraſtus*, when they find that Chriſtians did act *ex confederatâ diſciplinâ*, they preſently conclude all Church power to lay only in mutual conſent. It is granted Church power doth ſuppoſe conſent, but then all Chriſtians are under an obligation from the nature of Chriſtianity to expreſs this conſent, and to ſubmit to all cenſures legally inflicted. About the *hetæriæ* and ſocieties among the Romans, we may take notice of the Law of twelve Tables. So in the collection of *Lud. Charondus*, *Sodalibus qui ejuſdem collegii ſunt, & jus coeundi habent, poteſtas eſto pactionis quam*

Hiſt. Eccl. lib. 3. cap. 33.

Selden. de Synedr. l. 1. cap. 9. V. Heraldum in Tertul. Apologet. cap. 39.

Joſeph. Haleſ. p. 2. cap. 12.

quam volent inter ſe ineundæ damnè quid ex publicâ lege corrumpant. Ex Caio c. 4. D. de Collec. & corp.

§. 3 I confeſs when perſons are entred into a viſible Church-Society by Baptiſm, if they will own that profeſſion they were baptized into, and are not guilty either of plain ignorance of it, or manifeſt ſcandal, and demand as their right the other ordinances of the Goſpel, I ſee not by what power they may be excluded. If we fix not in a ſerious viſible profeſſion as the ground of giving right, but require poſitive evidences of grace in every one to be admitted to ordinances as the only thing giving right, for my part, ſetting aſide the many inconveniences beſides which attend that in reference to the perſons to be admitted, I ſee not how with a ſafe and good conſcience ordinances can be adminiſtred by any. My reaſon is this. Every one, eſpecially a Miniſter in that caſe ought to proceed upon certain grounds that the perſon admitted hath right to the ordinance to be adminiſtred; but if poſitive ſigns of grace be required, a mans conſcience cannot proceed upon any certainty, without infallible knowledge of anothers ſpiritual ſtate, which I ſuppoſe none will pretend to. My meaning is, that which gives right, muſt be ſomething evident to the perſon admitting into it, if it be his duty to inquire after it; but if only poſitive ſigns of grace be looked on, as giving right, the ground of right can never be ſo evident to another perſon, as to proceed with a good conſcience, *i. e.* with a full perſwaſion of anothers right to the adminiſtration of any ordinance to him. If it be ſaid, that theſe are required only as tokens of a true viſible profeſſion, and it is that which gives the right; I reply, our knowledge of, and aſſent to the concluſion, can be no ſtronger, nor more certain than to the premiſſes from whence it is inferred; if therefore true profeſſion gives right, and our knowledge of that proceeds upon our knowledge of the work of grace, we are left at the ſame uncertainty we were at before. But if we ſay that an outward profeſſion of the Goſpel (where there is nothing rendring men uncapable of owning it, which is Ignorance, nor declaring they do not own it, which is ſcandal) is that which gives a viſible right to the ordinances of the Church as viſible, we have ſomething to fix our ſelves upon, and to bottom a perſwaſion of the right of perſons to ordinances.

Christ when he instituted Churches, did institute them as visible societies, that is, to have marks whereby to be known and distinguished, as other societies in the world are; now that which puts a difference between this and other societies, is an open profession of Christianity, which profession is looked upon as the outward expression of the internal consent of the soul to the doctrine and laws of the Gospel. Which outward evidence of consent, where there is nothing evidently and directly oppugning it, is that which the Church of God in admission of visible members is to proceed upon. I no where find that ever Christ or his Apostles in making disciples, or admitting to Church membership, did exact any more than a professed willingness to adhere to the doctrine which they preached; nor that they refused any who did declare their desire to joyn with them. An owning Christianity is all we read of antecedent to admission of Church-members. And if any thing else be further required as necessary, we must either say the word of God is defective in institutions of necessity to the Church, which I suppose the assertors of it will not be so inconsistent to their own principles, as to do; or else must produce where any thing further is required by the word of God.

5. 7. By this we may see what to answer those who require an explicite Covenant from all members of the Church, as that which gives the form and being to a Church. If they mean only in the first constitution of a visible Church, an express owning of the Gospel Covenant, there is none will deny that to be necessary to make one a member of the visible Church of Christ. If they further mean that there must be a real confederation between those who joyn together in Gospel ordinances in order to their being a Church, I know none will question it that know what it is that makes a society to be so; which is such a real confederation with one another: If they mean further, that though Christians be bound by vertue of their Gospel Covenant to joyn with some Church society, yet not being determined by Scripture to what particular Church they should joyn; therefore for Christians better understanding what their mutual duty is to one another; and who that Pastor is to whom they owe the relation of member,

ber, that there ſhould be ſome ſignificant declaration either by words or actions of their willingneſs to joyn with ſuch a particular ſociety in Goſpel ordinances; I ſhall grant this to be neceſſary too. But if beyond this their meaning be, that a formal explicite covenant be abſolutely neceſſary to make any one a member of a Church, I ſee no reaſon for it. For,

1. If there may be a real confederation without this; then this is not neceſſary, but there may be a real confederation without this explicite Covenant; as appears in thoſe Churches of Chriſt, both in the Primitive times, and ſince the Reformation, who have never uſed it, which none I ſuppoſe who maintain this opinion will deny to have been true viſible Churches of Chriſt.

2. If the Goſpel Covenant entred into by any, gives a right to Goſpel ordinances by its ſelf, then an explicite Covenant is not that which makes one a member of a Church; but the Goſpel Covenant gives that right to all Goſpel ordinances. If by baptiſm, the perſon baptized have a legal title to all Goſpel ordinances, then, *&c.* the *Minor* appears in that they are admitted Church members by baptiſm; and how can any be a member of a Church, and not have right to all ordinances in it, ſuppoſing capacity to receive them? A right once received, continues till it be forfeited, eſpecially when it is ſuch a right as is not limited to any particular priviledges, but to all the priviledges of that ſociety into which they are entred.

3. The reality of conſent may be ſufficiently manifeſted without an explicite Covenant, as in the joyning with thoſe who are under the ſame profeſſion in the common acts of the ſociety and acceptance of, and ſubmiſſion to the rulers of that ſociety, which implicitely is that Covenant which they would have expreſſed; and actions in this caſe are as declarative and ſignificative as words.

4. If a Church may ceaſe to be a true Church, without explicite diſowning ſuch a Covenant, then it is not explicite Covenanting which makes a Church; but a Church may ceaſe to be a true Church without explicite diſowning it; as in caſe of univerſal corruption, as to word and Sacraments; as in the Church of *Rome*, that ſtill owns her ſelf for a Church.

The ground of the consequence, is from the parity of reason as to contraries.

§. 9. But though I see no reason at all, why an explicite Covenant should be so necessary to a Church, that we cannot suppose a true Church without it; yet I no wayes deny the lawfulness or expediency, in many cases, of having a personal profession from all baptized in infancy, when they come to age (which we may if we please, call *Confirmation*) and the necessity of desiring admission, in order to participation of all Ordinances: which desire of admission doth necessarily imply mens consenting to the Laws of that society, and walking according to the duties of it; and so they are *consequentially* and *virtually*, though not *expresly* and *formally*, bound to all the duties required from them in that relation. When Churches are over-run with loosness, ignorance, and prophaneness, or when Christians are under persecution, an external profession of the Gospel Covenant, and declaring their owning the society they are entred into, and submitting to the Laws of it, may be, if not wholly necessary, yet very useful and expedient: And indeed, at all times we see people understand so little of their duty or engagements, and are so hardly brought under the exercise of Gospel discipline, that an open profession of their submission to the rules of the Gospel, seems the most likely way to advance the practice, power, and purity of religion: But of this much is spoken by others lately, and therefore I supersede. From all this we see, that every society implying a joyning together in some common duties, Nature tells us there must be a real consenting together, explicite, or implicite in all persons, who enter into such a society.

CHAP.

CHAP. VIII.

The last thing dictated by the Law of Nature, is, that every offender against the Laws of the society, must give an account of his actions to the Governours of it, and submit to the censures inflicted upon him by them. The original of penalties in societies. The nature of them, according to the nature and ends of societies. The penalty of the Church no civil mulct: because its Laws and ends are different from civil societies. The practice of the Druids *in excommunication. Among the Jews whether a meer civil or sacred penalty. The latter proved by six arguments.* Cherem Col Bo *objections answered. The original of the mistake shewed. The first part concluded.*

§. 1. NAture dictates further, that in a well ordered society, *every offender against the rules of that society, must give an account of his actions to the Governours of that society, and submit to the censures of it, according to the judgment of the rulers of it.* In all societies subsisting by Laws, men being more ruled by hopes and fears, than by a sense of duty, or love of goodness, it is necessary for maintaining a society, that there must be not only a declaration of what men ought to do, but a setting forth the penalties which they must undergo upon violation of the Laws whereon the society doth subsist: And as there must be penalties annexed, as the sanction of the Law, so it must of necessity be implyed in a well ordered society, that every person, as he doth promise obedience to the Laws, so by the same obligation he is bound to submit to the penalties upon disobedience: For whatever Law binds to duty where there is a penalty threatned, doth bind likewise to punishment upon neglect of duty: for no sooner is the Law broken, but the offender lies under the penal sanction of that Law, and is thereby bound to give an account of himself and actions, to those Governours who are bound to see the Laws obeyed, or offenders punished. Guilt follows immediately upon the breach of the Law, which is nothing else but the offenders obligation to punishment. From this obli-

gation on the offenders part, ariſeth a new relation between the Governor of the ſociety and the offender. On the Governours part a right to puniſh, vindictive juſtice ſuppoſing offences committed; and on the offenders part, an obligation to undergo what ſhall be inflicted upon him for his offence: Puniſhment being nothing elſe, but *malum paſſionis ob malum actionis.* There muſt be then theſe things ſuppoſed in any well ordered ſociety; Laws to be governed by, Rulers to ſee the Laws kept, or offenders puniſhed, penalties made known for offenders, ſubmiſſion of the perſons in the ſocieties to the penalties, if they deſerve them. But now of what kind, nature, and degree the penalties muſt be, muſt be reſolved according to the nature, end, and deſign of the conſtitution of the ſociety. If it be a ſociety for preſervation of the rights of bodies, or eſtates, the penalties muſt be either pecuniary or corporal: And the ground is, becauſe the end of legal puniſhment is not properly revenge, but the preſervation of the ſociety, which without puniſhments could not be: A threefold end is therefore aſſigned to puniſhments; the reformation of the offending perſon, the prevention of further offences in the ſociety of the ſame kind, and the being a terrour and example to others; the firſt is called νουθεσία, κόλασις, or ἐπανόρθωσις, the ſecond τιμωρία, being for the preſervation of the honour of the Magiſtrate: the third παράδειγμα, when the puniſhment is inflicted upon one, that others ſhould take notice of it; which muſt be always done in a publick manner: So παραδειγματίσαι in *Matthew*, is oppoſed to κατὰ μόνας ἀπολῦσαι.

Gellius Noct. Attic. l. 6. c. 14. V. Grotium de jure belli. l. 2. c. 20. ſ. 6, 7, 8. Matth. 1. 19.

§. 2. Theſe things being thus in general conſidered, come we now to apply it to the Church conſidered as a ſociety. That it hath peculiar Laws to be governed by, appears by the diſtinct nature, end, and deſign of the conſtitution of it; which is not to preſerve any outward rights, but to maintain and keep up a religious ſociety for the ſervice of God; and therefore the penal ſanctions of theſe Laws cannot properly be any corporal or pecuniary mulct, but ſomewhat anſwerable to the nature of the ſociety. It muſt be then ſomewhat which implies the deprivation of that which is the chiefeſt benefit of that ſociety. The benefits of it are the priviledges and honour

nour which men enjoy by thus associating themselves for so high an employment: That punishment then must be the loss of those priviledges which the Corporation enjoys, which must be by exclusion of the offending person from communion with the society. Hence we see it is evident, that which we call excommunication is the greatest penalty which the Church, as a society, can inflict upon the members of it, considered as such. And hence it is likewise clear, that as the society of the Church is distinct from others, the Laws, ends, Governours of a different nature, so the punishment must be a punishment distinct from civil, and ordained wholly in order to the peculiar ends of this society; which they do not well consider, who deny any such power as that of excommunication peculiar to the Church, which is as much as to deny that the Laws whereby the Church is ruled, are different from the civil Laws, or the ends of this society from the ends of civil societies: for the punishment must be proportioned to the Laws, and referred immediately to its proper ends. It were no ways difficult to answer the pretences brought against this: For although I acknowledge a subordination of this religious society to the Supreme authority in the Commonwealth, and that the rules concerning the Government of the society in common must have their sanction from thence; yet this no ways implies but it may have its peculiar penalties and power to inflict them, any more than any Company of Tradesmen have not power to exclude any from their company for breaking the rules of the company, because they are subordinate to the Supreme Authority: or any Colledge to expel any from thence, for breaking the local Statutes of it, which are distinct from the Common Laws. Nor is it any argument, that because Christians had mutual confederations in times of persecution for the exercise of censures, therefore these censures were only arbitrary and humane; unless it be proved, that it was not a duty in them so to confederate and joyn together, nor was there any antecedent obligation to inflict those censures upon offenders. Much less, thirdly, because their jurisdiction is not civil and coactive, therefore they have none at all; which is as much as to say, the Laws of Scripture are not our Common Laws, therefore they are none at all.

§. 3. I shall not here insist upon the divine right of a power to excommunicate offenders, founded upon the positive Laws of Christ, it being my only business now to shew what foundation such a power hath in the Law of nature; which we have seen doth follow upon the Churches being a distinct society ruled by other Laws, acting on other ends, subsisting upon different grounds from any other society. A further evidence we have of this, how consonant it is to the light of nature, from the practice of all societies pretending to be for the worship of God, who have looked upon this as the proper penalty of offenders among them, to be excluded out of those societies. Thus we find among the *Druids*, whose great office was to take care of the worship of their Gods, and to instruct the people in religion, as *Cæsar* relates, *illi rebus divinis intersunt, sacrificia publica ac privata procurant, religiones interpretantur*; and accordingly the punishment of disobedience among them was excommunication from their sacrifices, which they looked upon as the greatest punishment could be inflicted upon them, as *Cæsar* at large describes it; *Si quis aut privatus aut publicus eorum decreto non stetit, sacrificiis interdicunt: hac pœna apud eos est gravissima; quibus ita est interdictum ii numero impiorum & sceleratorum habentur, iis omnes decedunt, aditum eorum sermonemque defugiunt, ne quid ex contagione incommodi accipiant, neq; iis petentibus jus redditur, neq; honos ullus communicatur.*

Cæsar de bello Gallico. l. 6. V. Nicolaum Damascenam de moribus gentium de Cercet. τὰς ἀδικούντας ὅπως τῶν ἱερῶν ἀπείργουσιν.

§. 4. The practice of excommunication among the Jews is not questioned by any, but the right ground and original of that practice, with the effect and extent of it. Some conceive it to have been only taken up among the Jews after the power of capital punishments was taken from them; and that it was used by them, wholly upon a civil account, not extending to the exclusion of men from their worship in the Temple or Synagogues, but only to be a note of infamy upon offending persons. This opinion though entertained by persons of much skill and learning in the Jewish antiquities, yet carries not that evidence with it to gain my assent to it. For first, the cause of excommunication were not such as were expressed by their Law to deserve such civil punishments as might have been inflicted by them upon offenders, nor were they generally matters of a civil nature, but matters of offence and scandal

ſcandal, as will appear to any that ſhall peruſe the twenty four cauſes of excommunication related out of the Jewiſh writers by *Selden* and *Joh. Coch.* Such were *the neglecting the precepts of the Scribes, the vain pronouncing the name of God, bearing witneſs againſt a Jew before heathen tribunals, doing any common work in the afternoon of the day before the paſſover*, with others of a like nature. If Excommunication had been then taken up among them only *ex confederatâ diſciplinâ*, to ſupply the defect of civil judicatories, at leaſt all capital offenders muſt have lain under the ſentence of excommunication. But here we read not of any being excommunicated for thoſe, but for other leſſer matters, which were looked upon as matters of ſcandal among them; and though ſome of them were matters of civil injuries, yet it follows not that men were excommunicated for them as ſuch, but for the ſcandal which attended them. As in the Chriſtian Church, men are excommunicated for matters which are puniſhable by the civil Magiſtrate, but not under that notion, but as they are offences to that Chriſtian ſociety which they live among. *Secandly*, It appears that excommunication was not a meer civil penalty, becauſe the increaſing or abatement of that penalty did depend upon the perſons repentance and deſire of abſolution. Now civil penalties do not regard the intention and mind of the perſon, but the quality and deſert of the action; the reaſon is, becauſe humane Laws do reſpect immediately *actionem ipſam*, and not *animum agentis*, unleſs it be only ſo far as the mind hath influence upon the action. But now it is otherwiſe in ſuch Laws which take immediate notice of the intention of the mind, and only of outward actions as they are ſignificative and expreſſive of the inward intentions: for in theſe, though the ground of proceeding to penalties be from the notice taken of the outward action, yet that outward action being ſubject to penalty, as expreſſive of the minds intention; where there may be ſufficient evidence given of the integrity and uprightneſs of the intention afterwards, there may be proportionably a relaxation of the penalty; becauſe the end of the penalty inflicted was not to be an act of juſtice excluded from mercy in the end of adminiſtration as in civil judicatories, but an act of juſtice whoſe end was

Selden de jure natur. &c. l. 4. cap. 8. Excerpt. Gem. Sanh. p. 147.

mercy, that is, the regaining and recovering the offenders ſoul from ſin, by inflicting ſuch a penalty upon him, as might humble him under the ſenſe of it. Hence appears the great reaſonableneſs of their proceedings in the managery of diſcipline in the primitive times, who did not fix a certain time as a ſtanding Law for all offenders, but did increaſe, or leſſen both the time and weight of their penance, according to the evidences given of their ſubmiſſion and true repentance for their miſcarriages. That it was thus now in reference to excommunication among the Jews, appears from what is aſſerted by the Learned *Buxtorf* concerning the time of the leſſer excommunication, called נדוי *Niddui*, which remained thirty days uſually, but were ſhortned by confeſſion and deſire of abſolution; *durat* 30. *dies, qui tamen pœnitentiâ & deprecatione decurtantur.* But if after thirty days paſt, he continue impenitent, the judge as he ſees fit, increaſeth the puniſhment, ſo as to double or treble the time, or extend it to his whole life: if he dyed without repentance, a ſtone is laid upon his bier, to ſhew he deſerved lapidation; they wept not for him, nor buried him in the common place of burial. Further *Buxtorf* there alledgeth this conſtitution of their Law: that if he that was under *Niddui*, and deſired not abſolution, was the ſecond time under it, if that did no good on him, then he was excommunicated with the higher ſort of excommunication, called חרם which is likewiſe obſerved by *Joh. Coch.* Mr. *Selden*, and others. From whence it is evident that this was an Eccleſiaſtical cenſure, and not meerly civil, becauſe the main end of it was not ſatisfaction to the Law, but the repentance of the perſon who lay under the fault; and according to the evidence given of it, the penalty was relaxed or increaſed; which argument not yet taken notice of nor improved by writers on this ſubject, ſeems to make the caſe clear, that excommunication among the Jews was not a meer *out-lawry*, as ſome conceive it to have been.

Epiſt. Hibr. Inſtitut p. 55.

V. Selden. de jure nat. & gen. lib. 4. *cap.* 8. *p.* 516. *Shulchan Aruch. Choſen hammiſchpat. ſect.* 100. *Excerpt. Gem. Sanhed. p.* 148. *a.* 11. 12.

§. 5. *Thirdly*, I argue, it was not the breach of the Law, but the publickneſs of the offence, or the ſcandal of it which was the ground of excommunication; then it was not a meer civil penalty, but an eccleſiaſtical cenſure: for civil penalties do proceed

proceed upon the breach of the Law, and alter not as to the publickneſs or privateneſs of the offence; but here it is evident that the ſame offence deſerving excommunication if done in publick, did not if done in private, or was left at the perſons liberty to have the offender excommunicated or not. That which is reckoned as the firſt cauſe of excommunication, is affront or contempt put upon a wiſe man, or *Rabbi*, or one that was תלמיד חכם a ſtudent in the Law; now it is determined by them in this caſe, that if it were done in private, the *Rabbi* might pardon him: but if in publick, he could not. For as *Joh. Coch.* gives the reaſon, *publicum Doctoris ludibrium in legis contemptum redundat*: the contempt of publick teachers of the Law, redounds to the diſhonour of the Law its ſelf. Thus it was the ſcandal of the fault, and not the bare offence which made excommunication neceſſary among them; and not as that ſcandal was a meer defamation of the perſon, but as it redounded to the contempt of the Law. *Fourthly*, I argue from the form uſed in excommunication by them. There are two forms produced of their excommunications, the one by *Buxtorf* out of an old Hebrew Manuſcript, the beginning of which is *Ex ſententia Domini Dominorum, ſit in Anathemate Ploni filius Ploni, in utraque domo judicii, ſuperiorum, ſc. & inferiorum, &c.* where two things evidence, it was accounted a ſacred and no civil action doing it immediately in the name and authority of the Lord of Lords; and pronouncing him excommunicate both in heaven and earth. So *R. Elieſer* ſpeaking of the excommunication of the Cuthites or Samaritans: *atque anathemate devovebant Cuthæos myſterio nominis Amphoraſch, & Scriptura exarata in tabulis, & anathemate domus judicii ſuperioris, atque anathemate curiæ inferioris*, as it is tranſlated by *Guil. Vorſtius*, who in his notes upon that book produceth a moſt dreadful ſentence of excommunication uſed to this day in many Synagogues, which they call *Cherem Col Bo.* from the book whence it is taken, which runs moſt ſolemnly in the ſeveral names of God, whereby they do *Schammatize*, curſe and devote the perſons againſt whom it is pronounced. *Fifthly*, it appears not to be a meerly civil thing inſtead of civil power, becauſe they uſe it againſt thoſe over whom they have no

p. 145.

Lex. Rabbinic. p. 828.

Pirk. R. Elieſer c. 38. p. 101.

p. 226. 11. 230.

civil jurisdiction, as appears by their *Schamatizing* the Christians in their Liturgies, as *Buxtorf* observes. *Sixthly*, I argue from the effects of it, because they who lay under it were excluded from publick worship, which is averred by *Buxtorf*, *Coch.* and others in the places forecited. It is acknowledged that he that was only under *Niddui*, might be present at publick worship, but even there he was under his separation too, of four Cubits from any other Israelite.

§. 6. And hence in probability might the mistake arise, because those under *Niddui* might appear at the Temple or Synagogue; therefore excommunication was no prohibition *à sacris*. But he that was under *Cherem*, *non docet*, *non docetur*, *neither teacheth others*, *nor is taught himself*, saith, *Joh. Cocceius*; and *Buxtorf* of one under *Cherem*, *omninò à cœtu sacro excluditur*, and in this sense *Buxtorf* expressly takes the turning out of the Synagogue, *Joh.* 9. 22. —— 12. 42. which, saith he, is done by *Cherem*. But against this it is strongly pleaded by our Learned Mr. *Selden*, that putting out of the Synagogue is nothing else but excommunicating הבדול מן הקהל *to separate from the Congregations*, taking קהל and so συναγωγὴ in the civil and not sacred sense, as it denotes an excluding them from common society; but though it be freely granted that that is sometimes the signification of קהל and συναγωγὴ as *Mat.* 10. 17. yet those particulars being considered, which are already laid down, I shall leave it to consideration whether it be more probable to take the word *Synagogue* here in a civil or sacred sense; when the occasion expressed is meerly a matter of doctrine and opinion, and not any thing condemned by their Law. Another thing which hath been I believe a great ground of mistaking, in this matter, is, that excluding from the civil society among them was alwayes consequent upon excommunication; the reason whereof was, because the Church and Common-wealth were not distinct among the Jews; and the same persons who took care of sacred, did likewise of civil things (there being no distinct *Sanhedrins* among them as some imagine) but from hence it no wayes follows, but their excommunication might be an exclusion from sacred worship as well as civil society. However, were it as they pretend, that it

Ep. Institut. p. 56.

De Synedriis. lib. 1. cap. 7.

it was from civil commerce, yet the whole people of the Jews being סגולה Gods peculiar people, and his only Church in being before the times of the Gospel, an exclusion in that respect from the common society of them might deservedly be looked upon as a sacred action, and not meerly Civil, it being a separation from a people whose main ligature was their being a Church of God, or a Community gathered together for Gods worship and service. Thus we see the Church of the Jews had this power among them; and for the Christian Church, the practice of discipline upon offenders was never questioned, though the right hath been; so that from hence we gather, in that it hath been the practice of societies constituted for the worship of God, to call offenders to an account for their offences, and if upon examination they be found guilty, to exclude them their society; that it is a dictate of the Law of nature, that every offender against the Laws of a society must give an account of his actions to the rulers of it, and submit to the censures inflicted on him by them. Thus I am now come to the end of my first stage to shew how far Church Government is founded upon the Law and Light of Nature.

And so to the end of the first Part.

PART. II.

CHAP. I.

The other ground of Divine Right conſidered, viz. *Gods poſitive Laws; which imply a certain knowledg of Gods intention to bind men perpetually. As to which, the arguments drawn from Tradition, and the practice of the Church in after ages, proved invalid by ſeveral arguments. In order to a right ſtating the Queſtion, ſome conceſſions laid down. Firſt, that there muſt be ſome form of Government in the Church. The notion of a Church explained: whether it belongs only to particular Congregations, which are manifeſted not to be of Gods primary intention, but for our neceſſity. Evidence for National Churches under the Goſpel. A National Church-Government neceſſary.*

§. 1. I Now come to the ſecond way, whereby any thing comes to be of unalterable Divine Right, which is by the poſitive Laws of God, which do bind univerſally to obedience. In the entrance into this diſcourſe, it is neceſſary to lay down the wayes, whereby we find out a Divine poſitive Law determining an unalterable obligation: which muſt be either by expreſs words of Scripture, or by ſome other certain way, whereby to gather from thence, that it was Gods intention to bind men. For the main thing requiſite to make a ſtanding univerſal poſitive Law, is Gods declaring his mind, that the thing inquired into, ſhould unalterably bind men to the practice of it. Now whatever doth ſufficiently manifeſt Gods intention, is a *medium* to find out ſuch a Law by, and nothing

thing elſe: But it muſt be ſuch a manifeſtation as gives a mans mind ſufficient evidence and teſtimony whereon to build a true, certain, and divine aſſent to the thing, as revealed: So that whatſoever binds the Conſcience as a Law, muſt firſt be entertained by the underſtanding as a matter of faith; not as it imports ſomething meerly *doctrinal* and *dogmatical*, but as it implies the *matter* of a *Divine Revelation*, and the object of an aſſent upon the credibility of a *Teſtimony*. For God having the only immediate authority over the conſciences of men, nothing can bind immediately the conſcience but a Divine Law, neither can any thing bind as ſuch, but what the underſtanding aſſents unto, as revealed by God himſelf. Now the word of God being the only *Codex* and *Digeſts* of Divine Laws, what ever Law we look for, muſt either be found there in expreſs terms, or at leaſt ſo couched therein, that every one by the exerciſe of his underſtanding, may by a certain and eaſy collection, gather the univerſal obligation of the thing inquired after. In this caſe then, whatſoever is not immediately founded upon a Divine *Teſtimony* cannot be made uſe of as a *Medium* to infer an univerſally binding Law by: So that all Traditions and hiſtorical evidence will be unſerviceable to us, when we inquire into Gods intentions in binding mens conſciences. Matters of fact, and meer Apoſtolical practice, may I freely grant, receive much light from the Records of ſucceeding ages; but they can never give a mans underſtanding ſufficient ground to infer any Divine Law, ariſing from thoſe facts atteſted to by the practice or Records of ſucceeding ages.

For *firſt*, the foundation and ground of our aſſent in this caſe, is not the bare teſtimony of antiquity; but the aſſurance which we have, either that their practice did not vary from what was Apoſtolical, or in their writings, that they could not miſtake concerning what they deliver unto us: And therefore thoſe who would infer the neceſſary obligation of men to any form of Government, becauſe that was practiſed by the Apoſtles, and then prove the Apoſtolical practice from that of the ages ſucceeding, or from their writings, muſt firſt of all prove, that what was done then, was certainly the Apoſtles practice, and ſo prove the ſame thing by its ſelf, or §. 2.

that

that it was impoſſible they ſhould vary from it, or that they ſhould miſtake in judging of it: For here ſomething more is required than a meer matter of fact, in which I confeſs their nearneſs to the Apoſtles times doth give them an advantage above the ages following, to diſcern what it was; but ſuch a practice is required, as infers an univerſal obligation upon all places, times, and perſons. Therefore theſe things muſt be manifeſted, *that ſuch things were unqueſtionably the practice of thoſe ages and perſons; that their practice was the ſame with the Apoſtles; that what they did was not from any prudential motives, but by vertue of a Law which did bind them to that practice.* Which things are eaſily paſſed over by the moſt eager Diſputers of the controverſie about Church Government, but how neceſſary they are to be proved before any form of Government be aſſerted, ſo neceſſary, that without it there can be no true Church, any weak underſtanding may diſcern.

Secondly, ſuppoſing that Apoſtolical practice be ſufficiently atteſted by the following ages, yet unleſs it be cleared from Scripture that it was Gods intention that the Apoſtles actions ſhould continually bind the Church, there can be nothing inferred that doth concern us in point of conſcience. I ſay, that though the matter of fact be evidenced by poſterity, yet the obligatory nature of that fact muſt depend on Scripture: and the Apoſtles intentions muſt not be built upon mens bare ſurmiſes, nor upon after-practices, eſpecially if different from the conſtitution of things during the Apoſtles times. And here thoſe have ſomewhat whereon to exerciſe their underſtandings, who aſſert an obligation upon men to any form of Government, by vertue of an Apoſtolical practice, which muſt of neceſſity ſuppoſe a different ſtate of things from what they were when the Apoſtles firſt eſtabliſhed Governours over Churches. As how thoſe who were appoined Governours over particular Congregations by the Apoſtles, come to be by vertue of that ordination, Governours over many Congregations of like nature and extent with that over which they were ſet: And whether, if it were the Apoſtles intention that ſuch Governours ſhould be alwayes in the Church, is it not neceſſary that that intention of theirs be declared by a ſtanding Law, that ſuch there muſt be; for here

here matter of fact and practice can be no evidence, when it is supposed to be different from the Constitution of Churches afterward: But of this more hereafter.

Thirdly, supposing any form of Government in its self necessary, and that necessity not determined by a Law in the word of God, the Scripture is thereby apparently argued to be insufficient for its end; for then *deficit in necessariis*; some things are necessary for the Church of God which the Scripture is wholly silent in. I say not, that every thing about Church Government must be written in Scripture; but supposing any one form necessary, it must be there commanded, or the Scripture is an imperfect rule, which contains not all things necessary by way of precept: For there can be no other necessity universal, but either by way of *means to an end*, or by way of *Divine command*: I know none will say that any particular form of Government is necessary absolutely, by way of means to an end; for certainly, supposing no obligation from Scripture, Government by an equality of power in the officers of the Church, or by superiority of one order above another, are indifferent in order to the general ends of Government, and one not more necessary than the other. If any one form then be necessary, it must be by that of command; and if there be a command universally binding, whose footsteps cannot be traced in the word of God, how can the Scriptures be a perfect rule, if it fails in determining binding Laws? So that we must, if we own the Scriptures sufficiency as a binding rule, appeal to that about any thing pleaded as necessary, by virtue of any Divine command, and if such a Law cannot be met with in Scripture, which determines the case in hand one way or other by way of necessary obligation, I have ground to look upon that which is thus left undetermined by Gods positive Laws, to be a matter of Christian liberty; and that neither part is to be looked upon as necessary for the Church of God, as exclusive of the other.

This I suppose is the case, as to particular forms of Government in the Church of God; but that I may not only suppose but prove it: I now come to the stating of the Question, which if ever necessary to be done any where, it is in §. 3.

the Controverſie of Church Government, the moſt of mens heats in this matter ariſing from want of right underſtanding the thing in queſtion between them. In the ſtating the Queſtion I ſhall proceed by degrees, and ſhew how far we acknowledge any thing belonging to Government in the Church to be of an unalterable Divine Right. *Firſt*, that there muſt be a form of Government in the Church of God, is neceſſary by vertue, not only of that Law of Nature which provides for the preſervation of ſocieties, but likewiſe by vertue of that Divine Law, which takes care for the Churches preſervation in peace and unity. I engage not here in the controverſie, whether a particular Congregation be the firſt *Political* Church or no; it ſufficeth for my purpoſe that there are other Churches beſides particular Congregations: I mean, not only the *Catholick* viſible Church, which is the *firſt*, not only in *order* of *conſideration*, but *nature* too, as a *totum Integrale* before the *ſimiliar parts* of it; but in reſpect of all other accidental modifications of Churches, from the ſeveral wayes of their combination together. They who define a Church by ſtated worſhipping Congregations, do handſomely beg the thing they deſire, by placing that in their definition of a Church, which is the thing in queſtion: which is, whether there be no other Church but ſuch particular Congregations? Which is as if one ſhould go about to prove, that there were no civil ſocieties but in particular Corporations, and to prove it, ſhould give ſuch a definition of civil ſociety, that it is a company of men joyned together in a Corporation, for the preſervation of their Rights and Priviledges, under the Governours of ſuch a place. It muſt be firſt proved, that no other company of men can be call'd a civil ſociety beſides a Corporation: and ſo that no other ſociety of men joyning together in the profeſſion of the true Religion, can be call'd a Church, but ſuch as joyn in particular Congregations.

§. 4. To which purpoſe it is very obſervable, that particular Congregations are not *de primariâ intentione divinâ*; for if the whole world could joyn together in the publick worſhip of God, no doubt that would be moſt properly a Church, but particular Congregations are only accidental, in reference to Gods intention of having a Church, becauſe of the im-

impossibility of all mens joyning together for the convenient distribution of Church-priviledges, and administration of Gospel-ordinances. For it is evident, that the Priviledges and Ordinances, do immediately and primarily belong to the Catholick visible Church, in which Christ to that end hath set officers, as the Apostle clearly expresseth, 1 *Corinth.* 12. 28. (for how Apostles should be set as officers over particular Congregations, whose Commission extended to the whole World, is, I think, somewhat hard to understand) but for the more convenient participation of Priviledges and Ordinances, particular Congregations are necessary: This will be best illustrated by examples. We read that *Esther* 1. 3. King *Ahashuerus* made a feast for all his Princes and Servants: Doubtless the King did equally respect them all as a body in the feasting of them, and did bestow his entertainment upon them all as considered together; but by reason of the great multitude of them, it was impossible that they should all be feasted together in the same room; and therefore for more convenient participation of the Kings bounty, it was necessary to divide themselves into particular companies, and to associate as many as conveniently could in order to that end. So it is in the Church, Christ in donation of priviledges equally respects the whole Church; but because men cannot all meet together to participate of these priviledges, a more particular distribution was necessary for that end. But a clearer example of this kind we have yet in Scripture, which is *Mark* 6. 39. in our Saviours feeding the multitude with five loaves and two fishes; where we see our Saviours *primary intention*, was to feed the whole multitude; but for their more convenient partaking of this food, our Saviour commands them to sit down συμπόσια συμπόσια, according to the *Hebraism* of ingeminating the words, to note the distribution of them, and therefore the Vul. Lat. renders it *secundum contubernia*, that is διαμεμερισμένως, as *Camerarius* expounds it, according to so many companies and divisions as might conveniently sit together, as at a table: Where we plainly see this distribution was only accidental, as to Christs primary intention of feeding the multitude, but was only necessary for their own conveniency. Thus the case is evident,

as to the Church of God, it is our neceſſity and conveniency which makes ſeveral congregations of the Catholick viſible Church, and not Gods primary intention, when he beſtowed ſuch priviledges upon the Church, that it ſhould be underſtood of particular Congregations.

§. 5. If then particular congregations be only accidental for our conveniency, it evidently follows that the primary notion of a Church, doth not belong to theſe; nor that theſe are the firſt ſubject of Government which belongs to a Church as ſuch, and not as crumbled into particular congregations; although the actual exerciſe of Government be moſt viſible and diſcernable there; Becauſe the joyning together for participation of Goſpel ordinances muſt be in ſome particular company or other aſſociated together for that end. Where ever then we find the notion of a Church particular, there muſt be government in that Church; and why a National ſociety incorporated into one civil Government, joyning in the profeſſion of Chriſtianity, and having a right thereby to participate of Goſpel ordinances in the convenient diſtributions of them in particular congregations, ſhould not be called a Church, I confeſs I can ſee no reaſon. The main thing objected againſt it, is, that a Church implies an actual joyning together for participation of all Goſpel ordinances; but as this, as I ſaid before, is only a begging the Queſtion, ſo I ſay now, that actual communion with any particular Congregation is not abſolutely neceſſary to a member of a Church, for ſuppoſing one baptized at ſea, where no ſetled Congregation is, (nor any more ſociety than that which *Ariſtotle* calls συμπλοία) yet ſuch a one is thereby a member of the Church of God, though not of any Congregation; ſo likewiſe a Church then may conſiſt of ſuch as have a right to ordinances, without the inſerting their actual participation of them in fixed Congregations. A particular Church then I would deſcribe thus, that it is a *ſociety of men joyning together in the viſible profeſſion of the true Faith, having a right to, and enjoying among them the Ordinances of the Goſpel.* That a whole Nation profeſſing Chriſtianity, in which the ordinances of the Goſpel are duly adminiſtred in particular Congregations, is ſuch a ſociety, is plain and evident. A clear inſtance of ſuch a National conſtitution

tution of a Church under the Goſpel, we have in the Prophecy of the converſion of *Egypt* and *Aſſyria* in Goſpel times. *Iſaiah* 19. 19, 21, 24, 25. *We have Egypt profeſſing the true Faith, and enjoying Goſpel ordinances, verſ.* 19, 21. which according to the prophetical ſtyle are ſet down under the repreſentation of ſuch things as were then in uſe among the Jews: *by an Altar in the midſt of the Land, v.* 19. The Altar noting the true worſhip of God; and being in the midſt of the Land, the univerſal owning of this worſhip by all the people of the Land. God owns them for a Church. *v.* 25. *Whom the Lord of Hoſts ſhall bleſs, ſaying, Bleſſed be Egypt my people.* The very name whereby Iſrael was called while it was a Church. עמי *Hoſea* 2. 1. and when God unchurched them, it was under this name עמי —— לא *ye are not my people.* As much then as *Iſrael* was a Church when God owned it for his people, ſo ſhould *Egypt* be upon their converſion to the Faith of Chriſt, which was done upon *Marks* preaching at *Alexandria* not long after the death of Chriſt.

§. 6. This then we have now briefly cleared, that a Nation joyning in the profeſſion of Chriſtianity, is a true Church of God; whence it evidently follows, that there muſt be a form of Eccleſiaſtical Government over a Nation as a Church, as well as of civil Government over it, as a ſociety governed by the ſame Laws. Therefore ſome make this neceſſary to a National Church, *National union in one Eccleſiaſtical body in the ſame community of Eccleſiaſtical Government.* For every ſociety muſt have its Government belonging to it as ſuch a ſociety; and the ſame reaſon that makes Government neceſſary in any particular congregation, will make it neceſſary for all the particular congregations joyning together in one viſible ſociety as a particular National Church. For the unity and peace of that Church, ought much more to be looked after than of any one particular Congregation, in as much as the peace of all the particular combinations of men for participation of ordinances doth depend upon, and is comprehended in the peace of the whole. But though I ſay from hence that ſome form of publick Government by the ſubordination of particular aſſemblies to the Government of the whole body of them is neceſſary, yet I am far from aſſerting the neceſſity of any one form of

Hudſon of the Church cap. 1. ſect. 3.

that Government, much more, from saying that no National Church can subsist without one National officer, as the High-Priest under the Law, or one National place of worship, as the Temple was. The want of considering of which, *viz.* that National Churches may subsist without that form of them under the Jews, is doubtless the great ground of mens quarrelling against them; but with what reason, let men impartially judge. This then we agree, that some form of Government is necessary in every particular Church, and so that Government in the Church of Divine and unalterable right; and that not only of particular Congregations, but of all societies which may be call'd Churches, whether provincial, or National.

CHAP. II.

The second concession is, That Church government formally Considered, must be administred by officers of Divine appointment. To that end, the continuance of a Gospel-Ministry fully cleared from all those arguments, by which positive Laws are proved immutable. The reason of the appointment of it continues; the dream of a seculum Spiritus Sancti *discussed, first broached by the Mendicant Fryers. Its occasion and unreasonableness shewed. Gods declaring the perpetuity of a Gospel Ministry,* Matth. 28. 19. *explained. A novel interpretation largely refuted. The World to come, what. A Ministry necessary for the Churches continuance,* Ephes. 4. 12. *explained, and vindicated.*

§. 1. *Secondly*, That the Government of the Church ought to be administred by officers of Divine appointment, is another thing I will yield to be of Divine Right: but the Church here, I take not in that latitude which I did in the former Concession, but I take it chiefly here for the members of the Church, as distinct from officers, as it is taken in *Acts* 15. 22. So that my meaning is, that there must be a standing perpetual Ministry in the Church of God, whose care and employment must be, to oversee and Govern the people of God, and to administer Gospel ordinances among them, and this is of Divine

Divine and perpetual Right. That Officers were appointed by Christ in the Church for these ends at first, is evident from the direct affirmation of Scripture. *God hath set in the Church, first Apostles, secondly Prophets, thirdly Teachers,* &c. 1 *Corinth.* 12. 28. *Eph.* 4. 8, 11. and other places to the same purpose. This being then a thing acknowledged, that they were at first of Divine institution, and so were appointed by a Divine positive Law, which herein determines and restrains the Law of Nature (which doth not prescribe the certain qualifications of the persons to govern this society, nor the instalment, or admission of them into this imployment, *viz.* by ordination.) The only inquiry then left, is, whether a standing Gospel-ministry be such a positive Law, as is to remain perpetually in the Church, or no? which I shall make appear by those things which I laid down in the entrance of this Treatise, as to the notes whereby to know when positive Laws are unalterable.

§. 2. The first was when the same reason of the command continues still, and what reason is there why Christ should appoint officers to rule his Church then, which will not hold now? Did the people of God need Ministers then to be as *Stars* (as they are call'd in Scripture) to lead them unto Christ, and do they not as well need them now? Had people need of *guides* then, when the doctrine of the Gospel *was confirmed to them by miracles*, and have they not much more now? Must there be some then to *oppose gainsayers*, and must they have an absolute liberty of prophesying now, when it is foretold what times of of seduction the last shall be? Must there be some then *to rule over their charge, as they that must give an account*, and is not the same required still? Were there some then *to reprove, rebuke, exhort, to preach in season, out of season*, and is there not the same necessity of these things still? Was it not enough then, that there were so many in all Churches that had extraordinary gifts of *tongues, prophesying, praying, interpretation of tongues*, but besides those there were *some Pastors by office*, whose duty it was to *give attendance to reading, to be wholly in these things*, and now when these extraordinary gifts are ceas'd, is not there a much greater necessity than there was then, for some to be set apart

Rev. 1. 16.
Heb. 13. 7.
Heb. 2. 3.
Titus 1. 9.
2 Tim. 3. 1.
Heb. 13. 17.
2 Tim. 4. 2.
1 Cor. 14.
1 Tim. 4. 13.

Matth. 28. 18. apart & wholly designed for this work? Were Ordinances only then administred by those whom *Christ commissioned*, and such as derived their authority from them; and what reason is there that men should arrogate and take this imployment upon themselves now? If Christ had so pleased, could he not have left it wholly at liberty for all believers to have gone about Preaching the Gospel? or why did he make choice of 12 Apostles chiefly for that work, were it not his will to have some particularly to dispense the Gospel? and if Christ did then separate some for that work, what reason is there why that office should be thrown common now, which Christ himself inclosed by his own appointment?

§. 3. There can be no possible reason imagined, why a Gospel Ministry should not continue still, unless it be that Fanatick pretence of a *seculum Spiritus Sancti*, *a dispensation of the Spirit*, which shall evacuate the use of all means of instruction, and the use of all Gospel ordinances; which pretence is not so novel as most imagine it to be; for setting aside the *Montanistical spirit* in the Primitive times, which acted upon principles much of the same nature with these we now speak of; the first rise of this *Ignis fatuus* was from the *bogs* of Popery, *viz.* from the orders of the *Dominicans* and *Franciscans*, about the middle of the 12. *Century*. For no sooner did the *Pauperes de Lugduno*, or the *Waldenses* appear, making use of the word of God to confute the whole Army of Popish traditions, but they, finding themselves worsted at every turn while they disputed that ground, found out a *Stratagem* whereby to recover their own credit, and to beat their adversaries quite out of the field. Which was, that the Gospel which they adhered to so much, was now out of date, and instead of that they broached another Gospel out of the writings of the *Abbot Joachim*, and *Cyrils visions*, which they blaspemously named *Evangelium Spiritus Sancti*, *Evangelium Novum*, and *Evangelium Æternum*, as *Gulielmus de Sancto Amore*, their great Antagonist relates, in his Book *de periculis noviss. temporum*, purposely designed against the Impostures of the Mendicant Friers, who then like Locusts, rose in multitudes with their shaven crowns out of the bottomless pit. This Gospel of the spirit they so much magnified above

Matthæus Paris. hist. Angl. in Hen. 3. A. 1257. p. 939. Ed. Vatsii. Cap. 8. apud Bælæum. App. de vitis Pontif. p. 480.

the

the Gospel of Christ, that the same Author relates these words of theirs concerning it; *Quod comparatum ad Evangelium Christi, tanto plus perfectionis ac dignitatis habet, quantum Sol ad Lunam comparatus, aut ad nucleum testa*; that it exceeded it as much as the kernel doth the shell, or the Light of the Sun doth that of the Moon. We see then from what quarter of the world this new light began to rise: but so much for this digression. To the thing it self.

§. 4. If there be such a dispensation of the spirit which takes away the use of Ministry and Ordinances, it did either commence from the time of the effusion of the Spirit upon the Apostles, or some time since. Not then; for even of those who had the most large portion of the Spirit poured upon them, we read that they continued in all Gospel-ordinances, *Acts* 2.42. and among the chief, τῇ διδαχῇ τῶν Ἀποστόλων, *under the Apostles Ministry*, it may be better rendred than *in the Apostles Doctrine:* And which is most observable, the prophecy of *Joel* about the Spirit, is then said to be fulfilled, *Acts* 2. 17. Besides, if either that place of *Joel*, or that of *Jeremy*, cited *Heb.* 8. 11. *or the Unction of the Spirit*, 1 Joh. 2. 20, 27. did take away the use of preaching, how did the Apostles themselves understand their meaing, when they were so diligent in preaching and instructing others: *John* writes to those *to try the Spirits*, of whom he saith, *they have an unction to know all things*; and those to whom the Apostle writes, that *they need not teach every one his neighbour*; of them he saith, *that they had need be taught the first principles of the oracles of God.* And even in that very Chapter where he seems to say, they that are under the New Covenant, need not be taught, he brings that very speech in as an argument, that the old dispensation of the Law was done away; And so goes *about to teach*, when he seems to *take away the use of it.* These speeches then must not be understood in their absolute and literal sense, but with a reflection upon, and comparison with, the state of things in the times wherein those prophecies were utter'd: For God to heighten the Jews apprehensions of the great blessings of the Gospel, doth set them forth under a kind of Hyperbolical expressions, that the dull capacity of the Jews might at least apprehend the just

1 Joh 4. 1.
1 Joh. 2. 20.
Heb. 5 12.
Calvin in Joel 2 28.

weight and magnitude of them, which they would not otherwiſe have done. So in that place of *Jeremy*, God to make
Jer. 31. 31. them underſtand how much the knowledge of the Goſpel exceeded that under the Law, doth as it were ſet it down in this Hyperbolical way, that it will exceed it as much, as one that needs no teaching at all, doth one that is yet but in his rudiments of learning. So that the place doth not deny the uſe of teaching under the Goſpel, but becauſe teaching doth commonly ſuppoſe ignorance, to ſhew the great meaſure of knowledge, he doth it in that way, as though the knowledge ſhould be ſo great, that men ſhould not need be taught in ſuch a way of rudiments as the Jews were, *viz.* by Types and Ceremonies, and ſuch things. We ſee then no ſuch diſpenſation was in the Apoſtles times; for the ſame Apoſtle after this in Chap. 10. 25. bids them *not to forſake the Aſſembling themſelves together as ſome did*: Wherefore
Heb. 10. 25. were theſe Aſſemblies, but for inſtruction? and in the laſt Chapter, *bids them obey their rulers.* What need rulers, if no
Heb. 13. 7. need of teaching? But ſo ſenſleſs a dream will be too much honour'd with any longer confutation. In the Apoſtles times then, there was no ſuch diſpenſation of the Spirit, which did take away the uſe of Miniſtry and Ordinances. If it be expected ſince their times, I would know whence it appears, that any have a greater meaſure of the Spirit than was poured out in the Apoſtles times; for then the Miniſtry was joyned with the Spirit: and what prophecies are fulfilled now, which were not then? or if they pretend to a doctrine diſtinct from, and above what the Apoſtles taught, let them produce their evidences, and work thoſe miracles which may induce men to believe them: Or let them ſhew what obligation any have to believe pretended new revelations, without a power of miracles, atteſting that thoſe revelations come from God? Or whereon men muſt build their faith, if it be left to the dictates of a pretended ſpirit of revelation? or what way is left to diſcern the good ſpirit from the bad, in its actings upon mens minds, if the word of God be not our rule ſtill? Or how God is ſaid to have ſpoken *in the laſt dayes by his Son*, if a
Heb. 1. 1. further ſpeaking be yet expected? For the Goſpel diſpenſation

tion is therefore call'd the Laſt dayes, becauſe no other is to be expected: Times being differenced in Scripture according to Gods wayes of revealing himſelf to men. But ſo much for this.

§. 5. The ſecond way whereby to know when poſitive Laws are unalterable, is, when God hath declared that ſuch Laws ſhall bind ſtill. Two wayes whereby God doth expreſs his own will concerning the perpetuity of an office founded on his own inſtitution. *Firſt*, if ſuch things be the work belonging to it, which are of neceſſary and perpetual uſe. *Secondly*, if God hath promiſed to aſſiſt them in it perpetually, in the doing of their work. *Firſt*, the objects of the Miniſterial office are ſuch things which are of neceſſary and perpetual uſe; I mean the adminiſtration of Goſpel-ordinances, *viz.* the Word and Sacraments, which were appointed by Chriſt for a perpetual Uſe. The Word as a means of converſion and edification; the Sacraments, not only as notes of diſtinction of Profeſſors of the true faith from others, but as Seals to confirm the truth of the Covenant on Gods part towards us, and as inſtruments to convey the bleſſings ſealed in the Covenant to the hearts of believers. Now the very nature of theſe things doth imply their perpetuity and continuance in the world, as long as there ſhall be any Church of God in it. For theſe things are not *typi rerum futurarum*, only Ceremonies to repreſent ſomething to come, but they are *ſymbola rerum inviſibilium*, ſigns to repreſent to our ſenſes things inviſible in their own nature; and between theſe two there is a great difference, as to the perpetuity of them: For Types of things as to come, muſt of neceſſity expire when the thing typified appears; but repreſentation of inviſible things cannot expire on that account, becauſe the thing repreſented as inviſible, cannot be ſuppoſed to be made viſible, and ſo to evacuate the uſe of the ſigns which repreſent them to us. *Types* repreſent a thing which is at preſent inviſible, but under the notion of it as future; *Symbols* repreſent a thing at preſent inviſible, but as preſent, and therefore *Symbols* are deſigned by Gods inſtitution for a perpetual help to the weakneſs of our faith. And therefore the Lords Supper is appointed *to ſet forth the Lords death, till he come:* whereby the continuance of it in the 1 Cor. 11. 26.

Church of God is neceſſarily implied. Now then, if theſe things which are the proper object of the Miniſterial function be of a perpetual nature, when theſe things are declared to be of an abiding nature, it neceſſarily follows, that that function to which it belongs to adminiſter theſe things, muſt be of a perpetual nature.

§. 6. Eſpecially if we conſider in the ſecond place, that Chriſt hath promiſed to be with them continually in the adminiſtration of theſe things: For that notwithſtanding the duſt lately thrown upon it, we have a clear place, *Matth.* 28. 19. *Go teach and baptize*, &c. *Lo I am with you alwayes to the end of the World.* If πάσας τὰς ἡμέρας, did not ſignifie perpetuity, yet certainly the latter words do; for how could Chriſt be with the Apoſtles themſelves perſonally to the end of the World? it muſt be therefore with them, and all that ſucceed them in the office of teaching and baptizing, to the worlds end: For that I aſſert to be the meaning of ἕως τῆς συντελείας τοῦ αἰῶνος. I inſiſt not barely on the ſignificatiou of the word αἰὼν, either as to its ſuppoſed Etymology, or as it anſwers the Heb. עוֹלָם knowing how fallible the arguments drawn from thence are, when in the diſpute of the eternity of the Law of *Moſes* with the Jews, it is confeſſed that עוֹלָם relates only to a long continuance of time. But however, I ſuppoſe that it will hardly be found in Scripture, that either αἰὼν or עוֹלָם doth barely relate to the time of life of any individual perſons, eſpecially if abſolutely put as it is here. One great ſignification of αἰὼν in the New Teſtament (which we are to inquire into, and not how it is uſed among Greek Authors) is that wherein αἰὼν is taken for the world its ſelf, which *Voſſius* reckons among the Hebraiſms of the N. Teſt. in which ſenſe the Jews call God רב העולם and great perſons גרורי העולם *Magnates mundi*; in which ſenſe, in the N. Teſtament, the Devil is call'd ὁ ἄρχων τοῦ αἰῶνος τούτου, *Joh.* 12. 31. ——— 14. 31. and ὁ θεὸς τοῦ αἰῶνος τούτου, 2 *Cor.* 4. 4. And ſo God is ſaid to create τοὺς αἰῶνας, *the world*, *Heb.* 1. 2. ——— 11. 3. If we take it in this ſenſe, Chriſts promiſe muſt of neceſſity relate to the diſſolution of the fabrick of the world, and that he would be with his ſervants in the Goſpel, till all things be diſſolved. Againſt this it is pleaded, that the συντέλεια

Philolog. Sacr. de Hebr. N.T. cap. 2.

here.

here relates to the deſtruction of *Jeruſalem*, and that αἰὼν implies the ſtate of things under the Law, which would continue till *Jeruſalem* were deſtroyed, from which time a new αἰὼν would commence. But to this I anſwer *firſt*, I abſolutely deny that συντέλεια τῦ αἰῶνος, doth ever in Scripture relate to the deſtruction of the Jewiſh State. This will be beſt made out by a particular view of the places wherein this phraſe occurs. The firſt time we meet with this phraſe is in *Matthew* 13. where we have it thrice. *v.* 39 ὁ δὲ θερισμὸς συντέλεια τῦ αἰῶνός ἐστι. Now can any be ſo ſenſleſs, as to imagine that the harveſt wherein the Tares ſhall be gathered, and caſt into unquenchable fire, when the Angels are ſaid to be the Reapers, and to gather out of Chriſts Kingdom every thing that offends, ſhould be attributed to the deſtruction of *Jeruſalem*? and ſo *v.* 40. and *v.* 49. where the ſame phraſe expreſſeth the ſame time, οὕτως ἔσται ἐν τῇ συντελείᾳ τῦ αἰῶνος, where the antecedents and conſequents fully declare, what the time is there meant, which is the general judgment of the world. The only place pleaded for this ſenſe is *Matth.* 24. 3. where the Diſciples inquire of Chriſt what ſhould be the ſign, τῆς σῆς παρουσίας καὶ τῆς συντελείας τῦ αἰῶνος, where granting, that the former *Chriſts coming* may reſpect his coming to alter the preſent ſtate of things according to the Jews apprehenſion of the Meſſias; yet I deny that the latter doth, but it reſpects the general deſtruction of the world, conſequent upon that alteration: for the Jews not only expect an alteration of the preſent ſtate of things among them, but a conſequent deſtruction of the world, after the coming of the Meſſias, according to that ſpeech of theirs cited by Dr. *Lightfoot*, עולם זה חרב אלף שנים *This world ſhall be deſtroyed for* 1000 *years*, and after that עתיד לבוא *there ſhould be the ſtate of Eternity*. So that the Diſciples, ſpeaking in the ſenſe of the Jews, do not only inquire of the ſigns of his altering the preſent ſtate of things among them, but likewiſe of the deſtruction of the whole world too. Accordingly it is obſerveable, that throughout that Chapter, our Saviour intermixeth his anſwers to theſe 2 Queſtions. Sometimes ſpeaking in reference to the Jewiſh State, as it is plain he doth, *verſe* 15, 16. and ſo on; and when he ſaith, *that*

Hor. hebr. in Matth. 24. 3. *p.* 262.

this Generation ſhall not paſs, till all theſe things be fulfilled, ver. 34. But then it is as evident, that ſome places muſt relate to the deſtruction of the world, as when he ſaith, *of that day and hour knoweth no man, no not the Angels of heaven, but the Father only*, *v.* 36. which will appear more plainly, by comparing it with *Mark* 13. 32. *Where the ſon is excluded from knowing that hour too*; But how can any ſay, that the Son did not know the time of the deſtruction of *Jeruſalem*, which he himſelf foretold when it ſhould be. And thoſe words *heaven and earth ſhall paſs away*, *v.* 35. ſeem to be our Saviours tranſition to the anſwer of the other Queſtion, about the final deſtruction of all things; however that be, we ſee no reaſon at all why συντέλεια τῦ αἰῶνος, ſhould only reſpect the ſubverſion of the Jewiſh ſtate: but ſuppoſing it ſhould, yet there is far leſs reaſon why it ſhould be ſo meant, in the place whoſe ſenſe we are inquiring into; for if by Chriſts coming to deſtroy *Jeruſalem*, the old ſtate and diſpenſation ſhould be taken away, we muſt ſuppoſe a new ſtate under the Meſſias to begin from thence. And how rational doth this ſound, that Chriſt ſhould promiſe his peculiar preſence with his own Apoſtles, whom he imployed in erecting the Goſpel State, only till the old Jewiſh State be ſubverted; but his promiſe not at all to extend to that time, wherein the State of the Kingdom of the Meſſias ſhould be ſet up inſtead of it: And how could any of the Apoſtles, for example S. *John*, who ſurvived the deſtruction of *Jeruſalem*, expect Chriſts preſence with him, by vertue of this promiſe, if it extended no further than to the deſtruction of the Jewiſh State? Beſides, it is a meer groundleſs fancy, and ſavours of the Jewiſh apprehenſions of the State of the Meſſias Kingdom, to imagine that the temporal State of *Jeruſalem* muſt be firſt ſubverted before that αἰὼν or diſpenſation of things was at an end. For the Jewiſh State and diſpenſation did not lie in the *Jewiſh Polity*, but in obligation to the *Law of Moſes*, which expired together with Chriſt. And ſo the Goſpel State, which is call'd the *Kingdom of Heaven*, and the *Regeneration*, began upon Chriſts Reſurrection and Aſcenſion, when he was ſolemnly (as it were) inaugurated in his Mediatory Kingdom. And preſently after ſends down his *Vice-Roy* upon the day of

Matth. 19. 28.

Pente-

Pemecoſt, in the effuſion of the Spirit upon the Apoſtles, making good his Promiſe of the *Paraclete* to ſupply his abſence: Whereby the Apoſtles were more ſignally impowered for the advancing of the Goſpel ſtate. Acts 2. 1.

§. 7.

The αἰὼν then of the Goſpel commenceth from Chriſts reſurrection, and to this αἰὼν I am very inclinable to think that our Saviour hath reference in theſe words, when he ſaith *he will be with his diſciples to the end of that* αἰὼν, if we take it for a ſtate of things, or the Goſpel diſpenſation; *that is*, as long as the Evangelical Church ſhall continue: For that in Scripture is ſometime called the world to come, and that Phraſe among the Jews of עולם הבא *the world to come* is ſet to expreſs the time of the Meſſias; and it may be the Apoſtle may refer to this, when he ſpeaks of Apoſtates taſting δυνάμεις τε μέλλοντ⊙ αἰῶν⊙, *that is* the force and energy of the Goſpel preached; whence the Kingdom of God is ſaid to be not ἐν λόγῳ, but ἐν δυνάμει, *not in word, but in power*, which is the ἀπόδειξις πνεύματ⊙ καὶ δυνάμεως, ſpoken of by the Apoſtle elſewhere, *the powerful demonſtration of the* ſpirit accompanying the preaching of the Goſpel. When Chriſt is called by the Prophet אבי עד *the everlaſting Father*, the Septuagint renders it by πατὴρ τοῦ μέλλοντ⊙ αἰῶν⊙, and ſo the Vulgar Latin. *Pater futuri ſæculi*, *the Father of the world to Come: that is, the Goſpel State*, and to this ſenſe Chriſt is ſaid to be made an High-Prieſt, τῶν μελλόντων ἀγαθῶν, and the Law to be a ſhadow τῶν μελλόντων ἀγαθῶν, of *good things which ſhould be under the new ſtate of the Goſpel* And which is more plain to the purpoſe, the Apoſtle expreſſeth what was come to paſs in the dayes of the Goſpel, ἐν τοῖς αἰῶσι τοῖς ἐπερχομένοις, *in the Ages to come*, where the very word αἰὼν, is uſed to this ſenſe. And according to this importance of the word αἰὼν ſome very probably interpret that place of our Saviour concerning the ſin againſt the Holy Ghoſt, that it ſhould be forgiven οὔτε ἐν τούτῳ τῷ αἰῶνι, οὔτε ἐν τῷ μέλλοντι, *neither in the preſent ſtate of the Jewiſh Church, wherein there is no ſacrifice of expiation for contumacious ſinners*, but they that deſpiſed *Moſes* Law died without mercy; ſo neither ſhall there be any under the *World to come*, that is *the diſpenſation of Goſpel Grace*, any pardon proclaimed to any ſuch ſinners who trample under foot the

Heb. 2. 5. *Lightfoot Hor. Hebr. in* Matth. 12. 32. p. 173.

Heb. 6. 5. 1 Cor. 4. 20.

1 Cor. 2. 4. Iſai. 9. 5.

Heb. 9. 11.

Heb. 10. 1.

Eph. 2. 7.

Matth. 12 32.

D. *Reynolds* on *Hoſea* 14. 3.

Heb. 10. 26, 27, 28.

the blood of the Covenant, and offer deſpight to the ſpirit of grace. Thus we ſee how properly the word ἀεὶ may agree here to the Goſpel ſtate, and ſo Chriſts promiſe of his preſence doth imply the perpetuity of that office as long as the Evangelical ſtate ſhall remain, which will be to the worlds end.

§. 8. The third thing whereby to know when poſitive inſtitutions are unalterable, is, when they are neceſſary to the being, ſucceſſion, and continuance of the Church of God. Now this yields a further evidence of the perpetuity of officers in the Church of God, ſeeing the Church its ſelf cannot be preſerved without the Government; and there can be no Government without ſome to rule the members of the Church of God, and to take care for a due adminiſtration of Church-priviledges, and to inflict cenſures upon offenders, which is the power they are inveſted in by the ſame authority which was the ground of their inſtitution at firſt. It is not conceivable how any ſociety, as the Church is, can be preſerved without the continuance of Church officers among them. As long as the body of Chriſt muſt be edified, there muſt be ſome καταρτισμένοι εἰς ἔργον διακονίας, *fitted for the work of the Miniſtry*, which is appointed in order to that end; For that I ſuppoſe is the Apoſtles meaning in *Epheſ.* 4. 12. πρὸς τὸν καταρτισμὸν τῶν ἁγίων εἰς ἔργον διακονίας, εἰς οἰκοδομὴν τοῦ σώματος τοῦ χριστοῦ following the *Complutenſian copy*, leaving out the *comma* betweer ἁγίων and εἰς ἔργον, which makes as though it were a diſtinct thing from the former; whereas the Original carries the ſenſe on; for otherwiſe it ſhould have been εἰς καταρτισμὸν τῶν ἁγίων εἰς ἔργον διακονίας, &c. and thoſe who follow the ordinary reading, are much at a loſs how to explain that εἰς ἔργον διακονίας coming in ſo in the midſt without dependance upon the former. Therefore the *vulg. Latin* beſt renders it *ad conſummationem ſanctorum ad opus miniſterii, for the compleating of the Saints for the work of the miniſtry in order to the building up of the body of Chriſt*; and to this purpoſe *Muſculus* informs us the *German verſion* renders it. And ſo we underſtand the
Eph. 4. 11. enumeration in the verſe before of *Apoſtles, Prophets, Evangeliſts, Paſtors and Teachers*, not for the perſons themſelves, but for the gifts of thoſe perſons, *the office of Apoſtles, Evangeliſts*

geliſts, Paſtors, &c which is moſt ſuitable to the ἔδωκε δόματα in the *eighth verſe. He gave gifts to men*; now theſe gifts, ſaith he, Chriſt gave to men πρὸς καταρτισμὸν τῶν ἁγίων εἰς ἔργον διακονίας, *for the fitting the Saints for the work of the Miniſtry.* Not as a late *Democratical writer* would perſwade us, as though all the Saints were thereby fitted for this work of the Miniſtry; for that the Apoſtle excludes by the former enumeration; for are all the Saints fitted for Apoſtles? are all Prophets, are all Evangeliſts, are all Paſtors and Teachers? as the Apoſtle himſelf elſewhere argues. And in the 8. *v.* of that Chapter he particularly mentions the ſeveral gifts qualifying men for ſeveral uſeful imployments in the Church of God, the Spirit dividing to every man ſeverally as hé will. Therefore it cannot be that all the Saints are hereby fitted for this work, but God hath ſcattered theſe gifts among the Saints, that thoſe who have them might be fitted εἰς ἔργον διακονίας, becauſe God would not leave his Church without perſons qualified for the ſervice of himſelf in the work of the Miniſtry, in order to the building up of the body of Chriſt. And by the τῶν ἁγίων here may be meant no other than thoſe he ſpeaks of in the Chapter before, when he ſpeaks of the revelation made τοῖς ἁγίοις ἀποστόλοις αὐτοῦ καὶ προφήταις, to his holy Apoſtles and Prophets, and ſo God gave theſe gifts for the fitting the Holy Apoſtles *&c.* for the work of the Miniſtry. It cannot be meant of all, ſo as to deſtroy a peculiar function of the Miniſtry; for *Gods very giving theſe gifts to ſome and not to others*, is an evidence that the function is *peculiar.* For elſe had the gifts been common to all, every Saint had been an Apoſtle, every believer a Paſtor, and Teacher, and then where had the People been that muſt have been ruled and governed? So that this very place doth ſtrongly aſſert both the peculiarity of the function, from the peculiarity of gifts in order to fitting men for it, and the perpetuity of the function from the end of it, the building up of the body of Chriſt. Thus I have now aſſerted the *perpetual divine right of a Goſpel Miniſtry*, not only for teaching the word, but adminiſtration of ordinances, and governing the Church as a ſociety: which work belongs to none but ſuch as are appointed for it, who are the ſame with the diſpenſers of the word, as appears from the titles of ἡγούμενοι προϊστῶτες ποιμένες,

1 Cor. 12. 29,8,9,10, 11.

Eph. 3. 5.

Governours, Rulers, Paſtors, all which neceſſarily imply a Governing power, which having been largely proved by others, and yielded by me, I paſs over.

Heb. 13. 7, 17. 1 Tim. 5. 17. Eph. 4. 11.

CHAP. III.

The Queſtion fully ſtated. Not what form of Government comes the neareſt to the Primitive practice, but whether any be abſolutely determined. Several things propounded for reſolving the Queſtion. What the form of Church-Government was under the Law. How far Chriſtians are bound to obſerve that. Neither the neceſſity of ſuperiority, nor the unlawfulneſs can be proved thence.

§. 1. And now I come to the main ſubject of the preſent controverſie, which is acknowledging a form of Government neceſſary, and the Governours of the Church perpetual; whether the particular form whereby the Church muſt be Governed, be determined by any poſitive Law of God, which unalterably binds all Chriſtians to the obſervation of it. By Church here I mean not a particular Congregation, but ſuch a ſociety which comprehends in it many of theſe leſſer Congregations united together in one body under a form of Government. The forms of Government in controverſie, the Queſtion being thus ſtated, are only theſe two; the particular officers of ſeveral Churches acting in an equality of power, which are commonly called a *Colledge of Presbyters*; or a ſuperior order above the ſtanding Miniſtry, having the power of juriſdiction and ordination belonging to it by vertue of a divine inſtitution. Which order is by an *Antonomaſia* called *Epiſcopacy*. The Queſtion now is not which of theſe two doth come the *neareſt* to *Apoſtolical practice*, and the firſt inſtitution, which hath hitherto been the controverſie ſo hotly debated among us; but whether either of theſe two forms be ſo ſettled by a *jus divinum*, *that is*, be ſo determined by a poſitive Law of God, that all the Churches of Chriſt are bound to obſerve that one form ſo determined, without variation from it: or whether Chriſt hath not in the ſetling of his Church

Church (provided there be some form of Government, and a setled Ministry for the exercise of it,) left it to the prudence of every particular Church, consisting of many Congregations, to agree upon its own form which it judgeth most conducing to the end of Government in that particular Church. Αὐτῷ ῥόδος, αὐτῷ πήδημα. Here now we fix our selves, and the first thing we do is to agree upon our ways of resolution of this Question, whereby to come to an end of this debate. And the most probable way to come to an issue in it, is to go through all the ways whereon men do fix an unalterable divine right, and to see whether any of these do evince a divine right setled upon a positive Law or no, for one of these forms. The pleas then for such a divine right are these. Either some former Law standing in force under the Gospel, or some plain institution of a new Law by Christ in forming his Church, or the obligatory nature of Apostolical practice, or the General sense of the Primitive Church, to which we shall add by way of Appendix, the Judgment of the chief Divines and Churches since the Reformation; if we go happily through these, we may content our selves with having obtained the thing we aim at.

§. 2. The first inquiry then is, whether any former Law of God concerning a form of Government for his Church, either by persons acting in an equality of power, or subordination of one order to another, under the Gospel, doth remain in force or no, binding Christians to the observing of it. The Reason why I begin with this, is, because I observe the disputants on both sides make use of the Pattern under the Law to establish their form by. * Those who are for superiority of one order above another in the Government of the Church, derive commonly their first argument from the Pattern under the Law. * Those who are for an equality of power in the persons acting in Government, yet being for a subordination of Courts, they bring their first argument for that, from the Jewish Pattern. So that these latter are bound by their own argument, though used in another case, to be ruled in this Controversie by the Jewish Pattern. For why should it be more obligatory as to subordination of Courts, than as to the superiority of orders? If it holds in one case,

* B. *Bilson Perpet. Govern. cap. 2.* B. *Andrews* Form of Government in the old T. B. *usher.* Original of Epis. * *Herl* of Indep. *p. 4. Apol. Spanhem. omnes.*

it muſt in the other. And if there be ſuch a Law for ſuperiority ſtanding unrepealed, there needs no new Law to inforce it under the Goſpel. We ſhall therefore firſt inquire what foundation there is for either form in that pattern, and how far the argument drawn from thence is obligatory to us now. For the practice then in the Jewiſh Church, That there was no univerſal equality in the Tribe of *Levi* which God ſingled out from the reſt for his own ſervice, is obvious in Scripture. For there we find *Prieſts* above the *Levites*; the family of *Aaron* being choſen out from the other families of *Cohath* (one of the three Sons of *Levi*) to be imployed in a nearer attendance upon Gods ſervice than any of the other Families. And it muſt be acknowledged, that among both *Prieſts* and *Levites* there was a ſuperiority; For God placed *Eleazar* over the *Prieſts*, *Elizaphan* over the *Cohathites*, *Eliaſaph* over the *Gerſhonites*; *Zuriel* over the *Merarites*, and theſe are called נשיאים *the rulers over their ſeveral Families*; for it is ſaid of every one of them ונשיא בית אב *he was the ruler over the houſe of his Father.* Neither were theſe equal; for over *Eliaſaph* and *Zuriel* God placed *Ithamar*, over *Elizaphan* and his own Family God ſet *Eleazar*, who by reaſon of his authority over all the reſt, is called נשיא נשיאי *the Ruler of the rulers of Levi*; and beſides theſe there were under theſe rulers ראשי אבות *the chief Fathers of the ſeveral diſtinct families*, as they are called *Exodus* 6. 25. Thus we briefly ſee the ſubordination that there was in the tribe of *Levi*; the *Levites* firſt, over them the *heads of the Families*, over them the *Rulers* of the *chief* of the *heads*, over them *Ithamar*, over both *Prieſts* and *Levites*, *Eleazar*; Over all, *Aaron* the *High Prieſt*.

Numb. 2. v. 30, 34, 35.

Numb. 4. 28. 32.

Numb. 4. 16.

§. 3. There being then ſo manifeſt an inequality among them, proceed we to ſhew how obligatory this is under the Goſpel. For that end it will be neceſſary to conſider whether this imparity and ſuperiority were peculiarly appointed by God for the Eccleſiaſtical Government of the Tribe of *Levi*, as it conſiſted of perſons to be implyed in the ſervice of God, or it was only ſuch an inequality and ſuperiority as was in any other Tribe. If only common with other Tribes, nothing

nothing can be inferred from thence peculiar to Eccleſiaſtical Government under the Goſpel, any more than from the Government of other Tribes to the ſame kind of Government in all civil States. We muſt then take notice that *Levi* was a particular diſtinct Tribe of its ſelf, and ſo not in ſubordination to any other Tribe; for they had *the heads of their Fathers as well as others*, *Exodus* 6. 25. and although when they were ſetled in *Canaan*, their habitations were intermixt with other Tribes in their *forty eight* Cities, yet they were not under the Government of thoſe tribes among whom they lived, but preſerved their authority and Government entire among themſelves. And therefore it was neceſſary there ſhould be the ſame form of Government among them, which there was among the reſt. The whole body of the Nation then was divided into *thirteen Tribes*; theſe Tribes into their *ſeveral families*; ſome ſay *ſeventy*, which they called משפחות, theſe families were divided into ſo many houſholds בתים their houſholds into perſons נפרים over the ſeveral perſons were the ſeveral Maſters of Families; over the ſeveral houſholds were the Captains of 1000 and 100, 50——10. Over the Families, I ſuppoſe, were the heads of the Fathers. And over the thirteen Tribes were the ראשי אבות המטות *the chief Fathers of the Tribes of the Children of Iſrael*, *Numb.* 32. 28. and we have the names of them ſet down, *Numb.* 34. 17. &c. So that hitherto we find nothing peculiar to this tribe, nor proper to it as imployed in the ſervice of God. For their ſeveral Families had their ſeveral heads, and *Eleazar* over them as chief of the Tribe. And ſo we find throughout *Numbers* 2. all the heads of the ſeveral Tribes are named and appointed by God as *Eleazar* was.

The only things then which ſeem proper to this Tribe were, the ſuperiority of the Prieſts over the Levites in the ſervice of God, and the ſupereminent power of the High Prieſt, as the type of Chriſt. So that nothing can be inferred from the order under the Law to that under the Goſpel, but from one of theſe two. And from the *firſt* there can be nothing deduced but this, that as there was a ſuperiority of offices under the Law, ſo likewiſe ſhould there be under the Goſpel, which is granted by all in the ſuperiority of *Prieſts* over *Dea-* §. 4.

cons, to whom theſe two anſwer in the Church of God, in the judgment of thoſe who contend for a higher order by divine inſtitution above Presbyters. And withal we muſt conſider that there was under that order no power of juriſdiction inveſted in the Prieſts over the Levites, but that was in the heads of the families; and ordination there could not be, becauſe their office deſcended by ſucceſſion in their ſeveral families. Thoſe who would argue from *Aarons* power, muſt either bring too little, or too much from thence; *Too little*, if we conſider his office was typical and ceremonial, and as High-Prieſt had more immediate reſpect to God than men, *Heb.* 5. 1. and therefore *Eleazar* was appointed over the ſeveral Families during *Aarons* life time, and under *Eleazars* his ſon *Phinehas*. *Too much*, if a neceſſity be urged for the continuance of the ſame authority in the Church of God, which is the argument of the Papiſts deriving the Popes Supremacy from thence. Which was acutely done by Pope *Innocentius the third*, the Father of the *Lateran Council*, who proved that the Pope may exerciſe temporal juriſdiction from that place in *Deuteronomy* 17. 8. and that by this reaſon, becauſe *Deuteronomy did imply the ſecond Law, and therefore what was* there written, *in Novo Teſtamento debet obſervari*, muſt be obſerved under the Goſpel, which according to them is a new Law.

§. 5. All that can be inferred then from the Jewiſh pattern, cannot amount to any obligation upon Chriſtians, it being at the beſt but a judicial Law, and therefore binds us not up as a poſitive Law; but only declares the equity of the thing in uſe then. I conclude then, that the Jewiſh pattern is no ſtanding Law for Church-Government now either in its common or peculiar form of Government; but becauſe there was ſome ſuperiority of order then, and ſubordination of ſome perſons to others under that government, that ſuch a ſuperiority and ſubordination is no ways unlawful under the Goſpel; for that would deſtroy the equity of the Law. And though the form of Government was the ſame with that of other Tribes, yet we ſee God did not bind them to an equality, becauſe they were for his immediate ſervice, but continued the ſame way as in other Tribes; thence I infer,

that

that as there is no neceſſary obligation upon Chriſtians to continue that form under the Jews, becauſe their Laws do not bind us now; ſo neither is there any repugnancy to this Law in ſuch a ſubordination, but it is very agreeable with the equity of it, being inſtituted for peace and order, and therefore ought not to be condemned for Antichriſtian. The Jewiſh pattern then of Government neither makes equality unlawful, becauſe their Laws do not oblige now; nor doth it make ſuperiority unlawful, becauſe it was practiſed then. So that notwithſtanding the Jewiſh pattern, the Church of Chriſt is left to its own liberty for the choice of its form of Government, whether by an equality of power in ſome perſons, or ſuperiority and ſubordination of one order to another.

CHAP. IV.

Whether Chriſt hath determined the form of Government by any poſitive Laws. Arguments of the neceſſity why Chriſt muſt determine it, largely anſwered; as Firſt, Chriſts faithfulneſs compared with Moſes, *anſwered, and retorted; and proved, that Chriſt did not inſtitute any form of Church Government, becauſe no ſuch Law for it as* Moſes *gave; and we have nothing but general rules, which are applyable to ſeveral forms of Government. The Office of* Timothy *and* Titus, *what it proves in order to this queſtion: The lawfulneſs of Epiſcopacy ſhewn thence, but not the neceſſity. A particular form; how far neceſſary, as Chriſt was the Governour of his Church; the ſimilitudes the Church is ſet out by, prove not the thing in queſtion. Nor the difference of civil and Church-Government; nor Chriſts ſetting officers in his Church; nor the inconvenience of the Churches power in appointing new officers. Every Miniſter hath a power reſpecting the Church in common, which the Church may reſtrain. Epiſcopacy thence proved lawful; the argument from the Scriptures perfection anſwered.*

§. 1. WE come then from the Type to the *Antitype*, from the *rod of Aaron* to the *root of Jeſſe*, *from the Pattern* of the Jewiſh

Jewish Church, to the *Founder* of the Christian: To see whether our Lord and Saviour hath determined this controversie, or any one form of Government for his Church, by any universally binding act or Law of his. And here it is pleaded more hotly by many that *Christ must do it*, then *that he hath done it*. And therefore I shall first examine the pretences of the necessity of Christs determining the particular form; and then the arguments that are brought that he hath done it. The main pleas that there must be a perfect form of Church-Government laid down by Christ for the Church of God, are *from the comparison of Christ with* Moses, *from the equal necessity* Heb. 1. 2, *of forms of Government now, which there is for other societies,* 5, 6. *from the perfection and sufficiency of the Scriptures*; all other arguments are reducible to these three heads. Of these in their order.

Arg. 1. First, *From the comparison of Christ with* Moses, they argue thus; *If Moses was faithful in his house as a servant, much more Christ as a son; now Moses appointed a particular form of Government for the Church under the Old Testament, therefore Christ did certainly lay down a form of Church-Government for the New Testament.*

Ans. 1. To this I answer, First: Faithfulness implies the discharge of a trust reposed in one by another: so that it is said *vers.* 2. *he was faithful to him that appointed him:* Christs faithfulness then lay in discharging the work which his Father laid upon him, which was the work of mediation between God and us; and therefore the comparison is here instituted between *Moses* as typical *Mediator*, and Christ as the true *Mediator*; that as *Moses* was faithful in his work, so was Christ in his. Now *Moses* his faithfulness lay in keeping close to the Pattern received in the Mount, that is, observing the commands of God: Now therefore if Christs being faithful in his office, doth imply the setling any one form of Government in the Church, it must be made appear that the setling of this form was part of Christs Mediatory work, and that which the Father commanded him to do as Mediator; and that Christ received such a form from the Father for the Christian Church, as *Moses* did for the Jewish. To this it is said, that the *Government is laid upon Christs shoulders, and all*

power

powers is in his hands; and therefore it belongs to him as Mediator. Christ I grant is the King of the Church, and doth govern it outwardly by his Laws, and inwardly by the conduct of his spirit: but shall we say that therefore any one form of government is necessary, which is neither contained in his Laws, nor dictated by his spirit? the main original of mistakes here, is, the confounding the *external* and *internal* Government of the Church of Christ, and thence whensoever men read of Christs power, authority and government, they fansie it refers to the outward Government of the Church of God, which is intended of his internal mediatory power over the hearts and consciences of men. But with all I acknowledge, that Christ for the better Government of his Church and people, hath appointed officers in his Church, invested them by vertue of his own power with an authority to preach and baptize, and administer all Gospel ordinances in his own name, *that is by his authority*; for it is clearly made known to us in the word of God, that Christ hath appointed these things. But then, whether any shall succeed the Apostles in superiority of power over Presbyters, or all remain governing the Church in an equality of power, is nowhere determined by the will of Christ in Scripture, which contains his Royal Law: and therefore we have no reason to look upon it as any thing flowing from the power and authority of Christ as mediator; and so not necessarily binding Christians.

Isa. 9. 6. Mat. 28. 18.

Mat. 28. 18. 19.

§. 2. Secondly I answer, If the correspondency between Christ and *Moses* in their work, doth imply an equal exactness in Christs disposing of every thing in his Church, as *Moses* did among the Jews; then the Church of Christ must be equally bound to all circumstances of worship as the Jews were. For there was nothing appertaining in the least to the worship of God, but was fully set down even to the pins of the Tabernacle in the Law of *Moses*; but we find no such thing in the Gospel. The main duties and ordinances are prescribed indeed, but their circumstances and manner of performance are left as matters of Christian liberty, and only couched under some general rules: which is a great difference between the legal and Gospel state. Under the Law all ceremonies and circumstances are exactly prescribed: but in the

Gospel we read of some general rules of direction for Christians carriage in all circumstantial things. These four especially contain all the directions of Scripture concerning circumstantials. *All things to be done decently and in order; all to be done for edification. Give no offence. Do all to the glory of God.* So that the particular circumstances are left to Christian liberty with the observation of general rules. It is evident as to baptism and the Lords Supper, which are unquestionably of divine institution, yet as to the circumstances of the administration of them, how much less circumstantial is Christ than *Moses* was! as to circumcision and the passover under the Law, the age, time, persons, manner, place, form, all fully set down; but nothing so under the Gospel: whether baptism shall be administred to infants or no, is not set down in express words, but left to be gathered by Analogy and consequences; what manner it shall be administred in, whether by dipping or sprinkling, is not absolutely determined; what form of words to be used, whether in the name of all three persons, or sometimes in the name of Christ only, as in the Acts we read (if that be the sense, and not rather in Christs name, *i. e.* by Christs authority) Whether sprinkling or dipping shall be thrice as some Churches use it, or only once as others. These things we see relating to an ordinance of divine institution, are yet past over without any express command determining either way in Scripture. So as to the Lords Supper; what persons to be admitted to it, whether all visible professors, or only sincere Christians: upon what terms, whether by previous examination of Church officers, by an open profession of their faith, or else only by their own tryal of themselves, required of them as their duty by their Ministers; whether it should be alwayes after supper as Christ himself did it; whether taking fasting or after meat, whether kneeling, or sitting, or leaning? whether to be consecrated in one form of words or several? These things are not thought fit to be determined by any positive command of Christ, but left to the exercise of Christian liberty; the like is as to preaching the word, publick prayer, singing of Psalms; the duties are required, but the particular modes are left undetermined. The case is the same as to Church Government. That the

1 Cor. 14. 40.
1 Cor. 14. 26.
1 Cor. 10. 32.
1 Cor. 10. 31.
Rom. 14. 6. 7.
Acts. 2. 38. 8. 12. 19. 5.

Church

Church be governed, and that it be governed by its proper officers, are things of divine appointment: but whether the Church ſhould be governed by many joyning together in an equality, or by ſubordination of ſome perſons to others, is left to the ſame liberty which all other circumſtances are, this being not the ſubſtance of the thing its ſelf, but only the manner of performance of it.

§. 3. 3. I anſwer. That there is a manifeſt diſparity between the Goſpel and Jewiſh ſtate: and therefore reaſons may be given why all punctilioes were determined then which are not now: as.

1. The perfection and liberty of the Goſpel ſtate above the Jewiſh. The Law was only as a Pedagogy, the Church then in her infancy and nonage, and therefore wanted the *Fefcues* of Ceremonies to direct her, and every part of her leſſon ſet her, to bring her by degrees to skill and exactneſs in her underſtanding the myſtery of the things repreſented to her. But muſt the Church now grown up under Chriſt be ſtill *ſub ferulâ*, and not dare to vary in any circumſtance, which doth not concern the thing it ſelf! A boy at ſchool hath his leſſon ſet him, and the manner of learning it preſcribed him in every mode and circumſtance. But at the Univerſity hath his Lectures read him, and his work ſet, and general directions given, but he is left to his own liberty how to perform his work, and what manner to uſe in the doing of it. So it was with the Church under age: every mode and circumſtance was determined; but when the fulneſs of time was come, the Church being then grown up, the main offices themſelves were appointed, and general directions given; but a liberty left how to apply and make uſe of them, as to every particular caſe and occaſion. Things moral remain ſtill in their full force, but circumſtantials are left more at liberty by the Goſpel liberty: as a ſon that is taught by his Father, while he is under his inſtruction, muſt obſerve every particular direction for him in his learning: but when he comes to age, though he obſerves not thoſe things as formerly, yet his ſon-ſhip continues, and he muſt obey his Father as a Child ſtill, though not in the ſame manner. The ſimilitude is the Apoſtles, *Galat.* 4. 1, 2, 3, 4, 5, 10. which

he there largely amplifies to this very purpose of freeing Christians from Judaical ceremonies.

2. The form of Government among the Jews in the Tribe of *Levi*, was agreeable to the form of Government among the other tribes; and so *Moses* was not more exact in reference to that, than to any other; and those persons in that Tribe who were the chief before the institution of the Aaronical Priest hood, were so after; but now under the Gospel, people are not under the same restrictions for civil government by a Judicial Law, as they were then. For the form of Ecclesiastical Government then took place among them as one of their Judicial Laws; And therefore if the argument hold, Christ must as well prescribe a form for civil government as Ecclesiastical, if Christ in the Gospel must by his faithfulness follow the pattern of *Moses*. But if Christ be not bound to follow *Moses* Pattern as to Judicial Law for his Church and people, neither is he as to a form of Ecclesiastical Government, because that was a part of their civil and Judicial Law.

3. The people of the Jews was a whole and entire people, subsisting by themselves when one set form of Government was prescribed them; but it is otherwise now under the Gospel. The Church of Christ was but forming in Christs own time, nor the Apostles, in whose time we read of but some Cities and no whole Nations converted to the Faith; and therefore the same form of Government would not serve a Church in its first constitution, which is necessary for it when it is actually formed. A Pastor and Deacons might serve the Church of a City while believers were few, but cannot when they are increased into many Congregations And so proportionably when the Church is inlarged to a whole Nation, there must be another form of Government then. Therefore they who call for a National Church under the Gospel, let them first shew a Nation converted to the faith, and we will undertake to shew the other. And this is the chief reason why the Churches Polity is so little described in the New Testament, because it was only growing then: and it doth not stand to reason, that the coat which was cut out for one in his infancy, must of necessity serve him when grown

grown a man; which is the argument of those who will have nothing observed in the Church, but what is expressed in Scripture. The Apostles looked at the present state of a Church in appointing officers, and ordered things according to the circumstances of them, which was necessary to be done in the founding of a Church; and the reason of Apostolical practice binds still, though not the individual action, that as they regulated Churches for the best conveniency of Governing them, so should the Pastors of Churches now But of this largely afterwards.

4. Another difference is, that the people of the Jews lived all under one Civil Government; but it is otherwise with Christians who live under different forms of Civil Government. And then by the same reason, that in the first institution of their Ecclesiastical Government it was formed according to the Civil; by the same reason must Christians do under the Gospel, if the argument holds that Christ must be faithful as *Moses* was. And then because Christians do live under several and distinct forms of Civil Government, they must be bound by the Law of Christ, to contemporate the Government of the Church to that of the State. And what they have gained by this for their cause, who assert the necessity of any one form from this argument, I see not; but on the contrary this is evident, that they have evidently destroyed their own principle by it. For if *Moses* did prescribe a form of Government for *Levi* agreable to the form of the Commonwealth, and Christ be as faithful as *Moses* was, then Christ must likewise order the Government of Christian Churches according to that of the State, and so must have different forms as the other hath. Thus much will serve abundantly to shew the weakness of the argument drawn from the agreement of Christ and *Moses*, for the proving any one form of Government necessary; but this shall not suffice. I now shall *ex abundanti* from the answers to this argument, lay down several arguments that Christ did never intend to institute any one form of Government in his Church.

§ 4. 1. What ever binds the Church of God as an institution of Christ, must bind as an universal standing Law; but one form of Government in the Church cannot bind it as a standing

Law. For whatever binds as a ſtanding Law, muſt either be expreſſed in direct terms as ſuch a Law; or deduced by a neceſſary conſequence from his Laws, as of an univerſally binding nature; but any one particular form of Government in the Church, is neither expreſſed in any direct terms by Chriſt, nor can be deduced by juſt conſequence; therefore no ſuch form of Government is inſtituted by Chriſt. If there be any ſuch Law, it muſt be produced, whereby it is determined in Scripture, either that there muſt be ſuperiority, or equality among Church Officers as ſuch after the Apoſtles deceaſe. And though the Negative of a Fact holds not, yet the Negative of a Law doth, elſe no ſuperſtition. I have not yet met with any ſuch produced, and therefore ſhall ſee what conſequences can be made of a binding nature. To this I ſay, that no conſequences can be deduced to make an inſtitution, but only to apply one to particular caſes: becauſe poſitives are in themſelves indifferent without inſtitution and Divine appointment, and therefore that muſt be directly brought for the making a Poſitive univerſally binding, which it doth not in its own nature do. Now here muſt be an inſtitution of ſomething meerly poſitive ſuppoſed, which in its ſelf is of an indifferent nature; and therefore no conſequence drawn can ſuffice to make it unalterably binding, without expreſs declaration that ſuch a thing ſhall ſo bind: for what is not in its own nature moral, binds only by vertue of a command, which command muſt be made known by the will of Chriſt, ſo that we may underſtand its obligatory nature. So that both a conſequence muſt be neceſſarily drawn, and the obligation of what ſhall be ſo drawn muſt be expreſſed in Scripture: which I deſpair of ever finding in reference to any one form of Government in the Church.

2. If the ſtanding Laws for Church Government be equally applyable to ſeveral diſtinct forms, then no one form is preſcribed in Scripture; but all the ſtanding Laws reſpecting Church Government, are equally applyable to ſeveral forms. All the Laws occurring in Scripture reſpecting Church Government, may be referred to theſe three heads. Such as ſet down the *Qualifications of the perſons for the office of Government, ſuch as require a right management of their office, and*

ſuch

such as lay down rules for the management of their office. Now all these are equally applyable to either of these two forms we now discourse of. We begin then with those which set down the qualifications of the persons imployed in Government; those we have largely and fully set down by St. *Paul* in his *Ordo* to *Timothy* and *Titus*, prescribing what manner of persons those should be who are to be imployed in the Government of the Church. *A Bishop must be blameless as the Steward of God not self willed, not soon angry, not given to Wine, no striker,* &c. All these and the rest of the Qualifications mentioned, are equally required as necessary in a Bishop, whether taken for one of a superior order above Presbyters, or else only for a single Presbyter; how ever that be, if he hath a hand in Church Government, he must be such a one as the Apostle prescribes; And so these commands to *Timothy* and *Titus* given by *Paul*, do equally respect and concern them, whether we consider them as Evangelists acting by an extraordinary commission, or as fixed Pastors over all the Churches in their several precincts; so that from the commands themselves nothing can be inferred either way to determine the Question; only one place is pleaded for the perpetuity of the office *Timothy* was imployed in, which must now be examined: the place is 1 *Tim.* 6. 13, 14. *I give thee charge in the sight of God,* &c. *that thou keep this commandment without spot, unrebukeable, until the appearing of our Lord Jesus Christ.* From hence it is argued thus: The commandment here was the charge which *Timothy* had of Governing the Church; this *Timothy* could not keep personally till Christs second coming; therefore there must be a succession of Officers in the same kind till the second coming of Christ. But this is easily answered. For first, It is no wayes certain what this command was which St. *Paul* speaks of; some understand it of fighting the good fight of Faith, others of the precept of love, others most probably the sum of all contained in this Epistle, which I confess implies in it (as being one great part of the Epistle) *Pauls* direction of *Timothy* for the right discharge of his office; but granting that the command respects *Timothys* office, yet I answer, *secondly*, It manifestly appears to be something *personal*, and not *successive*, or at least nothing can be inferr'd

1 Tim. 3. 1. to the 8. Titus 1. 5. to the 10.

for:

for the neceſſity of ſuch a ſucceſſion from this place which it was brought for: Nothing being more evident than that this command related to *Timothys* perſonal obſervance of it. And therefore *thirdly*, Chriſts appearing here, is not meant of his ſecond coming to judgment, but it only imports the time of *Timothys* deceaſe; ſo *Chryſoſtom* μέχει τ̃ σ̃ης τελευτ̃ης, μέχει τ̃ης ἐξόδ̃υ. So *Eſtius* underſtands it, *uſque ad exitum vitæ*; and for that end brings that ſpeech of *Auguſtine*, *Tunc unicuique veniet dies adventus Domini, cum venerit ei dies, ut talis hinc exeat, qualis judicandus eſt illo die.* And the reaſon why the time of his death is ſet out by the coming of Chriſt, is ἵνα μᾶλλον αὐτὸν διεγείρ̃η, as *Chryſoſtom*, and from him *Theophylact* obſerves; to incite him more, both to diligence in his work and patience under ſufferings, from the conſideration of Chriſts appearance. The plain meaning of the words then is the ſame with that, *Revel.* 2. 10. *Be thou faithful unto death, and I will give thee a Crown of life.* Nothing then can be hence inferred as to the neceſſary ſucceſſion of ſome in *Timothys* office, whatever it is ſuppoſed to be.

Hom. 18. *in* 1 *Tim. To.* 4.

Epiſtol. So. *ad Heſych.*

§. 5. Secondly, the precepts of the Goſpel requiring a right management of the work, are equally applyable to either form. Acts 20. 28. *Taking heed to the flock over which God hath made them overſeers*; is equally a duty, whether by *flock* we underſtand either the particular Church of *Epheſus*, or the adjacent Churches of *Aſia*; whether by *Overſeers* we underſtand ſome acting over others, or all joyning together in an equality. So 2 Tim. 4. 2. *exhorting, reproving, preaching in ſeaſon and out of ſeaſon*; 1 Tim. 5. 21. *doing all things* ἄνευ προκρίματος, *without raſh cenſures and partiality*; Heb. 13. 17. *watching over the flock as they that muſt give an account*: 1 Tim. 5. 22. *Laying hands ſuddenly on no man*: 1 Tim. 5. 19. *rebuking not an elder, but under two or three witneſſes.* And whatever precepts of this nature we read in the Epiſtles to *Timothy* and *Titus*, may be equally applyable to men acting in either of theſe two forms of Government: There being no precept occurring in all thoſe Epiſtles preſcribing to *Timothy*, whether he muſt act only as a *Conſul in Senatu* with the conſent of the Preſbytery, or whether by his ſole power he ſhould determine what was the common intereſt, and concern of thoſe Churches he was the Superintendent over. Neither doth

the

the Apostle determine at all in those Epistles chiefly concerning Church Government, whether upon the removal of *Timothy* or *Titus* thence as Evangelists, as some pretend, or upon their death as fixed Pastors and Bishops, as others, any should succeed them in the power they injoyed, or no: nor in what manner the Pastors of the several Churches should order things of common concernment. Which would seem to be a strange omission, were either of these two forms so necessary, taken exclusively of the other, as both parties seem to affirm. For we cannot conceive but if the being and right constitution of a Church did depend upon the manner of the Governours acting in it, but that care which *Paul* had over all the Churches, would have prompted him (especially being assisted and guided by an infallible spirit in the penning those Epistles) to have laid down some certain rules for the acting of the Pastors of the Churches after the departure of *Timothy* and *Titus*. Considering especially that the Epistles then written by him, were to be of standing perpetual use in the Church of God; and by which the Churches in after ages were to be guided as well as those that were then in being. The Apostle in both Epistles takes care for a succession of Pastors in those Churches: *Timothy* is charged to *commit the things that he had heard of* Paul *to faithful men, who shall be fit to teach others.* 2 Tim. 2. 2. Had it not been as requisite to have charged him to have committed his power of Government to men fit for that, had the Apostle looked on the form of Government to be as necessary as the office of preaching? *Paul* saith he, left *Titus* in *Creete* on purpose *to settle the Churches and ordain Presbyters in every City*: had it not been as necessary to have shewed in what order the Churches must be setled, and what power did belong to those Presbyters, and how they should act in the governing their Churches, had he thought the constitution of the Churches did depend upon the form of their acting? We see here then that St. *Paul* doth not express any thing necessarily inferring any one constant form to be used in the Church of God. And whence can we infer any necessity of it, but from the scriptures laying it down as a duty that such a form and no other there must be used in the Church of God? For all that we can see then by *Pauls* direction for Church- Titus 1. 5.

Government, (when if ever, this ſhould have been expreſſed) it was left to the Chriſtian wiſdom and prudence of the Churches of *Epheſus* and *Creet* to conſult and determine in what manner the Government of their Churches ſhould be provided for, upon the departure of *Timothy* and *Titus* from them.

§. 6. But here it will be ſoon replyed, that though nothing be expreſſed in *Pauls* Epiſtles to *Timothy* and *Titus*, yet Pauls *appointing* Timothy *and* Titus *over thoſe Churches, did determine the form of Government, and they were intruſted with a power to provide for future Governours after them.*

To this I anſwer: *Firſt*, the ſuperiority which *Timothy* and *Titus* had over thoſe Churches, doth not prove that form of Government neceſſary in all Churches; I diſpute not whether they were *Evangeliſts or no*, or acted as ſuch in that ſuperiority (of that afterwards) it is evident they might be ſo; there being no convincing argument to the contrary. And the bare poſſibility of the truth of the negative deſtroys the neceſſity of the Affirmative of a Propoſition. As, *ſi poſſibile eſt hominem non eſſe animal*, then that propoſition is falſe *Neceſſe eſt hominem eſſe animal.* For *Neceſſe eſt eſſe*, and *Non poſſibile eſt non eſſe*, being *equipollents* on the one ſide; and *Poſſibile eſt non eſſe, Et non neceſſe eſt eſſe*, being *equipollents* on the other; *Poſſibile eſt non eſſe* muſt be contradictory to *neceſſe eſt eſſe*, as *Non poſſibile eſt non eſſe* is to *Non neceſſe eſt eſſe.* So that if only the poſſibility of their acting as *Evangeliſts*, that is, by an extraordinary commiſſion, be evicted, which I know none will deny, the neceſſity of their acting as fixed Biſhops is deſtroyed, and conſequently the neceſſity of the continuance of their office too, which depends upon the former. For if they acted not as Biſhops, nothing can be drawn from their example neceſſarily inforcing the continuance of the Superiority which they enjoyed. But though nothing can be inferred from hence as to the neceſſity of that office to continue in the Church, which *Timothy* and *Titus* were inveſted in; yet from the ſuperiority of that power which they enjoyed over thoſe Churches, whether as Evangeliſts, or as fixed Biſhops, Theſe two things may be inferred. *Firſt*, That the ſuperiority of ſome Church officers over others is

not

not contrary to the rule of the Gospel: for all parties acknowledge the superiority of their power above the Presbyters of the several Cities; only the continuance of this power is disputed by many. But if they had any such power at all, it is enough for my present design, *viz.* that such a superiority is not contrary to the Gospel rule: or that the nature of the Government of the Church doth not imply a necessary equality among the Governours of it. *Secondly*, Hence I infer that it is not repugnant to the constitution of Churches in Apostolical times, for men to have power over more than one particular congregation. For such a power *Timothy* and *Titus* had; which had it been contrary to the nature of the regiment of Churches, we should never have read of in the first planted Churches. So that if those popular arguments of a necessary relation between a Pastor and particular people, of personal knowledge, care and inspection, did destroy the lawfulness of extending that care and charge to many particular congregations, they would likewise overthrow the nature, end and design of the office which *Timothy* and *Titus* acted in: which had a relation to a multitude of particular and congregational Churches. Whether their power was extraordinary or no, I now dispute not; but whether such a power be repugnant to the Gospel or no; which from their practice is evident that it is not. But then others who would make this office necessary, urge further, that *Timothy* or *Titus might ordain and appoint others to succeed them in their places and care over all those Churches under their charge.* To which I answer first, What they might do is not the question, but what they did; as they might do it, so they might not do it, if no other evidence be brought to prove it; for *Quod possibile est esse, possibile est non esse. Secondly*, Neither what they did, is the whole question, but what they did with an opinion of the necessity of doing it, whether they were bound to do it or no? and if so, whether by any Law extant in Scripture and given them by *Paul* in his Epistles, or some private command and particular instructions when he deputed them to their several charges: If the former, that Law and command must be produced, which will hardly be, if we imbrace only the received Canon of the Scripture. If the latter, we must

then fetch some standing rule and Law from unwritten traditions; for no other evidence can be given of the instructions by word of mouth given by *Paul* to *Timothy* and *Titus* at the taking their charges upon them. But yet *Thirdly*, were it only the matter of fact that was disputed, that would hold a controversie still, *viz.* whether any did succeed *Timothy* and *Titus* in their offices. But this I shall leave to its proper place to be discussed, when I come to examine the argument from Apostolical succession. Thus we see then, that neither the qualification of the persons, nor the commands for a right exercise of the office committed to them, nor the whole Epistles to *Timothy* or *Titus*, do determine any one form of Government to be necessary in the Church of God.

§. 7. *Thirdly*, Let us see whether the general rules do require any one form; which rules in that they are general, can determine nothing of the authority it self as to its particular mode, being intended only for the regulation of the exercise of the authority in which men are placed. And it is an evidence that nothing is particularly determined in this case, when the Spirit of God lays down such rules for Government which are applyable to distinct forms. Otherwise certainly some rule would have been laid down, which could have been applyed to nothing but to that one form. *That none take the office of preaching without a call, nor go without sending*, will equally hold whether the power of ordination lie in a Bishop with Presbyters, or in presbyters acting with equality of power. *That offenders be censured, and complaints made to the Church in case of scandal*, determines nothing to whom the power of jurisdiction doth solely belong, nor what that Church is which must receive these complaints. *That all things be done with decency and order*, doth prescribe nothing wherein that decency lies, nor how far that order may extend; nor yet who must be the Judges of that decency and order. *That all be done for edification, and the common benefit of the Church*, doth no wayes restrain the Churches freedom in disposing of its self as to the form of its government, so the aim of the Church be for the better edification of the body of the Church, and to promote the benefit of it. But

Heb. 5. 2. Rom. 10. 14.

methinks,

methinks, these general orders and rules for discipline do imply the particular manner of government to be left at liberty to the Church of God, so that in all the several forms these general rules be observed. Where is had Christ appointed a superiour order to govern other subordinate officers and the Church together; Christs command for governing the Church would have been particularly addressed to them: and again, had it been the will of Christ there should be no superior order above the Pastors of particular Churches, there would have been some express and direct prohibition of it; which because we no where read, it seems evident that Christ hath left both the one and the other to the freedom and liberty of his Church. So much shall serve in this place to shew how improbable it is that Christ did ever prescribe any one form of Government in his Church, since he hath only laid down general rules for the management of Church Government.

§ 8. But this will not yet suffice those who plead that Christ must determine one immutable form of Government in his Church: but although it be a high presumption to determine first what Christ must do, before we examine what he hath done, yet we shall still proceed and examine all the pretences that are brought for this opinion. The next thing then which is generally urged for it, *is the equal necessity of Christs instituting a certain form as for any other Legislator who models a Common wealth.* Now for answer to this, I say, *first*, that Christ hath instituted such an immutable government in his Church as is sufficient for the succession and continuance of it; which is all which founders of Common-wealths do look after, *viz.* that there be such an order and distinction of persons, and subordination of one to the other, that a society may still be preserved among them; now this is sufficiently provided for by Christ appointing officers continually to rule his Church, and establishing Laws for the perpetuating of such officers, so whatsoever is necessary in order to the general ends of Government, is acknowledged to be appointed by Jesus Christ. Until then that it be proved, that one form of Government is in it self absolutely necessary for the being of a Church, this argument can prove nothing; for what is drawn from ne-

ceſſity, will prove nothing but in a caſe of neceſſity. *Secondly*, I anſwer that thoſe things which are not abſolutely neceſſary to the being of a Church, are left to Chriſts liberty, whether he will determine them or no; and are no further to be looked on as neceſſary than as he hath determined by his Laws whether they ſhall be or no in his Church. The thing will be thus cleared; When I read that *Zaleucus*, *Lycurgus* or *Numa* did form a Commonwealth and make Laws for it; I preſently conclude that there muſt be ſome order or diſtinction of perſons in this Common-wealth; and ſome rules whereby perſons muſt be governed, and whereby others muſt rule. But I cannot hence infer that *Zaleucus*, or *Lycurgus* did inſtitute Monarchial, Ariſtocratical or Democratical government, becauſe any of theſe forms might be agreeable to their deſign; and therefore what kind of government they did appoint; can no otherwiſe be known than by taking a view of the Laws which they made in order thereto. So it is in reference to Chriſt; when we read that Chriſt hath inſtituted a Church alwayes to continue in the world, we preſently apprehend that there muſt be ſome power and order in the members of that ſociety, and Laws for the governing it: but we cannot hence gather that he hath bound up his Officers to act in any one form, becauſe ſeveral forms might in themſelves equally tend to the promoting the end of Government in his Church. And therefore what Chriſt hath expreſly determined in his poſitive Laws, muſt be our rule of judging in this caſe, and not any preſumption of our own, that ſuch a form was neceſſary, and therefore Chriſt muſt inſtitute and appoint it. Which is fully expreſſed by judicious Mr. *Hooker*, whoſe words will ſerve as a ſufficient anſwer to this objection.

Eccleſiaſt. Polity. lib. 3. ſect. 11. *As for thoſe marvelous diſcourſes, whereby they adventure to argue that God muſt needs have done the thing which they imagine was to be done; I muſt confeſs I have often wondered at their exceeding boldneſs herein. When the queſtion is, whether God have delivered in Scripture (as they affirm he hath) a compleat particular immutable form of Church Polity: why take they that other both preſumptuous and ſuperfluous labour to prove he ſhould have done it: there being no way in this caſe to prove the deed of God, ſaving only by producing that evidence wherein he*

hath

hath done it? But if there be no such thing apparent upon record, they do as if one should demand a Legacy by force and vertue of some written Testament, wherein there being no such thing specified, he pleadeth that there it must needs be, and bringeth arguments from the love and good will which alwayes the Testator bore, imagining that these or the like proofs will convict a Testament to have that in it, which other men can no where by reading find. In matters which concern the actions of God, the most dutiful way on our part, is to search what God hath done, and with meekness to admire that, rather than to dispute what he in congruity of reason ought to do. Thus he, with more to the same purpose. The sum then of the answer to this Argument, is this; that nothing can be infer'd of what Christ must do, from his relation to his Church, but what is absolutely necessary to the being of it; as for all other things, they being arbitrary constitutions, we can judge no more of the necessity of them, than as we find them clearly revealed in the Word of God. And therefore the Plea must be removed from what Christ must do, to what he hath done, in order to the determining the particular form of Government in his Church.

§. 9. But still it is argued for the necessity of a particular form of Government in the Church from the similitudes *the Church is set out by in Scripture*; *It is call'd a* Vine, *and therefore must have* Keepers: *an* House, *and therefore must have* Government; *a* City *and therefore must have a* Polity; *a* Body, *and therefore must have* Parts. I answer, *First*, All these Similitudes prove only that which none deny, that there must be order, power, and a Government in the Church of God; we take not away the Keepers from the Vine, nor the Government from the House, nor Polity from the City, nor distinction of Parts from the Body; we assert all these things as necessary in the Church of God. The keepers of the Vine to defend and prune it; the Governours of the House to rule and order it; the Polity of the City to guide and direct it; the Parts of the Body to compleat and adorn it. But *Secondly*, None of these Similitudes prove what they are brought for; *viz.* that any one immutable form of Government is determined. For may not the keepers of the Vine use their own discretion.

Parker de Polit. Eccles. lib. 2. c. 4.

discretion in looking to it, so the flourishing of the Vine be that they aim at? and if there be many of them, may there not be different orders among them, and some as Supervisors of the others work? The House must have Governours; but those that are so, are intrusted with the power of ordering things in the House according to their own discretion; and where there is a multitude, is there not diversity of offices among them? and is it necessary that every house must have officers of the same kind? In great and large Families there must be more particular distinct orders and offices, than in a small and little one. The City must have its Polity; but all Cities have not the like; some have one form, and some another, and yet there is a City still and a Polity too. A body must have all its parts; but are all the parts of the body equal to one another? it sufficeth that there be a proportion, though not equality in them: the several parts of the body have their several offices; and yet we see the head is superintendent over them all: and thus if we make every particular Church a Body, yet it follows not that the form of cloathing that Body must alwayes be the same; for the manner of Government is rather the cloathing to the Body than the parts of it; the Governours indeed are parts of the Body, but their manner of Governing is not; that may alter according to the proportion and growth of the Body, and its fashion change for better conveniency.

§. 10. *But if these Similitudes prove nothing; yet certainly*, say they, *the difference as to civil and Ecclesiastical Government will; for though there may be different forms in civil Government, which are therefore call'd an* Ordinance of man; *yet there must be but one in Church Government, which is an Ordinance of God, and Christ hath appointed Officers to rule it.* 1 Pet 2.13. I answer, *First*, We grant and acknowledge a difference between the Church and the Commonwealth; they are constituted for other ends; the one Political, the other Spiritual; one temporal, the other eternal; they subsist by different Charters; the one given to men as men, the other to men as Christians; They act upon different principles; the one to preserve civil rights, the other to promote an eternal interest; nay, their formal constitution is different; for a man by being a member of a Comonwealth doth

doth not become a member of the Church, and by being excommunicated out of the Church, doth not ceaſe to be a member of the Commonwealth: The officers of the one are clearly diſtinct from the other, the one deriving their power from the Law of Chriſt, the other from Gods general providence: the Magiſtrate hath no power to excommunicate formally out of the Church any more than to admit into it, nor have Church-officers any power to caſt men out of the Commonwealth. We ſee then there is a difference between Civil and Eccleſiaſtical Government: But then I anſwer, *Secondly*, The power of the Magiſtrate is not therefore called an Ordinance of man, becauſe of the mutability of its form, and as diſtinguiſhed from the form of Church Government. For *Firſt*, The Apoſtle ſpeaks not of the form of Government, but of the power; *ſubmit to every Ordinance of man, &c.* the ground of ſubmiſſion is not the form, but the power of Civil Government; and therefore there can be no oppoſition expreſſed here between the forms of Civil and Eccleſiaſtical Government: But if any ſuch oppoſition be, it muſt be between the powers; and if this be ſaid as to Civils, that the power is an ordinance of man in that ſenſe, (whereas *Paul* ſaith it is of God) yet as to the Church it is freely acknowledged that the power is derived from God. *Secondly*, The Civil power is not called *ἀνθρωπίνη κτίσις*, becauſe it is a creature of mans making, and ſo ſubject to mens power, but the ground of that ſpeech is, becauſe all Civil power reſpects men as men, without any further connotation. *Humana dicitur, non quod ab hominibus ſit excogitata, ſed quod hominum ſit propria*, ſaith *Beza*. And to the ſame purpoſe *Calvin, Humana dicitur ordinatio, non quod humanitus inventa fuerit; ſed quod propria hominum eſt digeſta & ordinata vivendi ratio. Piſcator, Humanam appellat, non quod magiſtratus homines authores habeat, ſed quod homines eam gerant.* So then the Civil power is not called an Ordinance of man, as it is of mans ſetting up, but as it is proper to man; and ſo if there be any oppoſition between the Civil and Church power, it is only this, that the one belongs to men as men, the other to men as Chriſtians. *Thirdly*, Although it be granted that Chriſt hath appointed and ſet up his own officers in his Church; yet Rom. 13. 1.

it doth not thence follow that he hath determined in what manner they ſhall rule his Church. It is true, Chriſt hath ſet up in his Church, *ſome Apoſtles, ſome Evangeliſts, and* Eph. 4. 12. *ſome Paſtors and Teachers:* but it doth not thence follow that Chriſt hath determined, whether the power of Apoſtles and Evangeliſts ſhould continue in his Church or no, as it implyed ſuperiority over the ordinary Paſtors of the Churches; nor whether the Paſtors of the Church ſhould act in an equality in their Governing Churches. I grant that all Church Government muſt be performed by officers of Chriſts appointing, but that which I ſay is not determined in Scripture, is the way and manner whereby they ſhall Govern Churches in common.

§. 11. Parker Polit. Eccleſ. l. 2. cap. 4. §. 6. It is yet further argued, *That if the form of Church-Government be not immutably determined in Scripture, then it is in the Churches power, to make new officers which Chriſt never made, which muſt be a plain addition to the Laws of Chriſt, and muſt argue the Scripture of Imperfection.* This being one of the main arguments, I have reſerved it to the place of the *Triarii*, and ſhall now examine what ſtrength there lyes in it. To this therefore I anſwer, *Firſt*, Thoſe officers are only ſaid to be new, which were never appointed by Chriſt, and are contrary to the firſt appointments of Chriſt for the regulating of his Church; ſuch it is granted the Church hath no power to inſtitute; but if by new officers be meant only ſuch as have a charge over more than one particular congregation by the conſent of the Paſtors themſelves; then it is evident ſuch an office cannot be ſaid to be new: for beſides the general practice of the Church of God, from the firſt Primitive times which have all conſented in the uſe of ſuch officers; we find the foundation of this power laid by Chriſt himſelf in the power which the Apoſtles were inveſted in, which was extended over many, both Churches and Paſtors; but if it be ſaid, *The Apoſtolical power being extraordinary, muſt ceaſe with the perſons which enjoyed it*; I anſwer, *Firſt*, What was extraordinary did ceaſe; but all the diſpute is, what was extraordinary, and what not; ſome things were ordinary in them, as Preaching, Baptizing, Ordaining, Ruling Churches, ſome things were again extraordinary, as immediate miſſion from

from Christ (the main distinguishing note of an Apostle) a power of working miracles to confirm the truth of what they Preached; Now the Question is, whether the power which they enjoyed over Presbyters and Churches, be to be reckoned in the first or the second number. It must therefore be proved to be extraordinary, before it can be said to cease with them; and that must be done by some arguments proper to their persons; for if the arguments brought be of a common and moral nature, it will prove the office to be so too. *Secondly*, By ceasing may be meant, either ceasing as to its *necessity*, or ceasing as to its *lawfulness*: I say not, but that the *necessity* of the office, as in their persons, for the first Preaching and propagating the Gospel, did cease with them; but that after their death it became *unlawful* for any particular persons to take the care and charge of *Diocesan* Churches, I deny. For to make a thing unlawful which was before lawful, there must be some expres prohibition forbidding any further use of such a power, which I suppose men will not easily produce in the Word of God.

I answer therefore *Secondly*, That the extending of any Ministerial power, is not the appointing of any new Office; because every Minister of the Gospel hath a relation *in actu primo* to the whole Church of God; the restraint and inlargement of which power is subject to positive determinations of prudence and conveniency *in actu secundo*; and therefore if the Church see it fit for some men to have this power enlarged for better government in some, and restrained in others, that inlargement is the appointing no new office, but the making use of a power already enjoyed for the benefit of the Church of God. This being a foundation tending so fully to clear the lawfulness of that Government in the Church which implyes a superiority and subordination of the officers of the Church to one another: and the Churches using her prudence in ordering the bounds of her officers, I shall do these two things: *First*, Shew that the power of every Minister of the Gospel doth primarily and habitually respect the Church in common. *Secondly*, that the Church may in a peculiar manner single out some of its officers for the due administration of Ecclesiastical power. *First*, that every Minister of the §. 12.

Gospel hath a power respecting the Church in common: This I find fully and largely proved by those who assert the equality of the power of Ministers; *first*, from Christs bestowing the several offices of the Church for the use of the whole Church, *Ephes.* 4. 12, 13. Christ hath set Apostles, *&c.* Pastors and Teachers in his Church; now this Church must needs be the Catholick visible Church, because indisputably the Apostles office did relate thereto, and consequently so must that of Pastors and Teachers too: again, the end of these offices is the building up the body of Christ, which cannot otherwise be understood than of his whole Church: else Christ must have as many bodies as the Church hath particular congregations. Which is a New way of *Consubstantiation*. *Secondly*, The ministerial office was in being before any partial congregations were gathered: for Christ upon his ascension to glory *gave these gifts to men*; and the Apostles were impowered by Christ before his Ascension; either then they were no Church officers, or if they were so, they could have no other *Correlate*, but the whole body of the Church of God then lying under the power of darkness, a few persons excepted. *Thirdly*, Because the main design of appointing a Gospel Ministry was the conversion of Heathens and Infidels: and if these be the proper object of the ministerial function, then the office must have reference to the whole Church of Christ; else there could be no part of that office performed towards those who are not yet converted. *Fourthly*, Else a Minister can perform no office belonging to him as such, beyond the bounds of his particular congregation, and so can neither preach nor administer the Sacraments to any other but within the bounds of his own particular place and people. *Fifthly*, Because Ministers by baptizing do admit men into the Catholick visible Church, (else a man must be baptized again every time he removes from one Church to another) and none can admit beyond what their office doth extend to; therefore it is evident that every particular pastor of a Church hath a relation to the whole Church; To which purpose our former observation is of great use, *viz.* that particular Congregations are not of Gods *primary intention* but for *mens convenience*, and so consequently is the

1 Cor. 12. 28, 29.

Eph. 4. 8. Matth. 28. 19.

fixedness

fixednes of particular Paſtors to their ſeveral places for the greater conveniency of the Church; every Paſtor of a Church then hath a relation to the whole Church; and that which hinders him from the exerciſe of this power, is not any unlawfulneſs in the thing, but the preſerving of order and conveniency in the Church of God. This being premiſed, I ſay, *Secondly*, That the officers of the Church may in a peculiar manner attribute a larger and more extenſive power to ſome particular perſons for the more convenient exerciſe of their common power. We have ſeen already that their power extends to the care of the Churches in common, that the reſtraint of this power is a matter of order and decency in the Church of God; Now in matters of common concernment, without all queſtion it is not unlawful when the Church judgeth it moſt for edification, to grant to ſome the *executive part* of that power, which is originally and fundamentally common to them all. For our better underſtanding of this, we muſt conſider a twofold power belonging to Church-officers, *a power of order*, and *a power of juriſdiction*; for in every *Presbyter*, there are ſome things inſeparably joyned to his function, and belonging to every one in his perſonal capacity, both in *actu primo*, and in *actu ſecundo*, both as to the *right and power* to do it, and the *exerciſe and execution* of that power, ſuch are Preaching the Word, viſiting the ſick, adminiſtring Sacraments, *&c.* but there are other things which every Presbyter hath an aptitude, and a *jus* to *in actu primo*, but the limitation and exerciſe of that power doth belong to the Church in common, and belong not to any one perſonally, but by a further power of choice or delegation to it, ſuch is the power of viſiting Churches, taking care that particular Paſtors diſcharge their duty; ſuch is the power of ordination and Church-cenſures, and making rules for decency in the Church; this is that we call the *power of juriſdiction*. Now this latter power, though it belongs habitually and *in actu primo* to every Presbyter; yet being about matters of publick and common concernment, ſome further authority in a Church conſtituted is neceſſary beſides the power of order; and when this power, either by conſent of the Paſtors of the Church, or by the appointment of a Chriſtian Magi-

ſtrate, or both, is devolved to ſome particular perſons, though *quoad aptitudinem* the power remain in every Presbyter, yet *quoad executionem* it belongs to thoſe who are ſo appointed. And therefore *Camero* determines that *Ordinatio non ſit à paſtore quatenus paſtor eſt, ſed quatenus ad tempus ſingularem authoritatem obtinet*, i. e. That Ordination doth not belong to the power of order but to the power of juriſdiction, and therefore is ſubject to poſitive reſtraints, by prudential determinations. By this we may underſtand how lawful the exerciſe of an Epiſcopal power may be in the Church of God, ſuppoſing an equality in all Church officers as to the power of order. And how incongruouſly they ſpeak, who ſuppoſing an equality in the Presbyters of Churches at firſt, do cry out, that the Church takes upon her the office of Chriſt, if ſhe delegates any to a more peculiar exerciſe of the power of juriſdiction.

Tr Eccleſia in Mat. 18. 15. *Tom.* 1. *op. in* 4. *p.* 27.

§. 13. The laſt thing pleaded why an immutable form of Church Government muſt be laid down in Scripture, is *from the perfection and ſufficiency of the Scriptures; becauſe otherwiſe the Scriptures would be condemned of imperfection.* But this will receive an eaſie diſpatch: For, *Firſt*, The controverſie about the perfection of the Scriptures, is not concerning an eſſential or integral perfection, but a perfection *ratione finis & effectuum* in order to its end: now the end of it is to be an adæquate rule of faith and manners, and ſufficient to bring men to ſalvation; which it is ſufficiently acknowledged to be, if all things neceſſary to be believed or practiſed be contained in the Word of God: now that which we aſſert not to be fully laid down in Scripture, is not pleaded to be any ways neceſſary, nor to be a matter of faith, but ſomething left to the Churches liberty; but here it is ſaid by ſome, that this *is adding to the Law of God*, which deſtroys the Scriptures perfection: therefore I anſwer, *Secondly*, Whatever is done with an opinion of the neceſſity of doing it, deſtroys the Scriptures perfection if it be not contained in it: for that were to make it an imperfect rule; and in this ſenſe every *additio perficiens* is *additio corrumpens*, becauſe it takes away from the perfection of the rule which it is added to; and thus Popiſh traditions are deſtructive of the Scriptures ſufficiency.

Rivet. Iſagog. ad Script. ſacr. cap. 24. §. 3.

But

But the doing of any thing not positively determined in Scripture, not looking upon it as a thing we are bound to do from the necessity of the thing, and observing the general rules of Scripture in the doing it, is far from destroying the perfection or sufficiency of the Word of God. *Thirdly*, All essentials of Church Government are contained clearly in Scripture: The essentials of Church Government, are such as are necessary to the preservation of such a society as the Church is; now all these things have been not only granted, but proved to be contained in Scripture; but whatever is not so necessary in its self, can only become necessary by vertue of Gods express command, and what is not so commanded, is accidental and circumstantial, and a matter of Christian liberty, and such we assert the form of Church Government to be. It is not our work to enquire, why God hath determined some things that might seem more circumstantial than this, and left other things at liberty, but whether God hath determined these things or no. Which determination being once cleared, makes the thing so commanded necessary as to our observance of it: but if no such thing be made appear, the thing remains a matter of liberty, and so the Scriptures perfection as to necessaries in order to salvation, is no ways impeached by it. So much now for the necessity of Christs determining the particular form of Government: we now proceed to the consideration of Christs actions, whether by them the form of Church Government is determined or no?

CHAP.

CHAP. V.

Whether any of Christs actions have determined the form of Government. All power in Christs hands for Governing his Church: what order Christ took in order thereto when he was in the world. Calling Apostles the first action respecting outward Government; the name and office of Apostles cleared; an equality among them proved during our Saviours life. Peter *not made Monarch of the Church by Christ. The Apostles power over the seventy Disciples considered, with the nature and quality of their office,* Matth. 20. 25, 26, 27, *largely discussed and explained. It makes not all inequality in Church officers unlawful; by the difference of Apostles and Pastors of Churches.* Matth. 18. 15. *How far that determines the form of Church Government. No evidence of any exact order for Church Government from thence,* Matth. 18. 15, 16, 17, 18. *considered how far that concerns the Government of the Church.*

§. 1. HAving considered and answered the Arguments which are brought, why Christ must determine the particular form of Government: Our next task will be to enquire into those actions of our Saviour which are conceived to have any plausible aspect towards the setling the form of Government in his Church. And were it not that men are generally so wedded to an *hypothesis* they have once drunk in by the prevalency of interest or education, we might have been superseded from our former labour, but that men are so ready to think that opinion to be most necessary, which they are most in love with, and have appeared most zealous for. Men are loth to be perswaded that they have spent so much breath to so little purpose, and have been so hot and eager for somewhat, which at last appears to be a matter of Christian liberty. Therefore we find very few that have been ever very earnest in the maintaining or promoting any matter of opinion, but have laid more weight upon it, than it would really bear; lest men should think, that with all their sweat and toil, they only beat

beat the air, and break their teeth in cracking a nut, with a hole in it; which if they had been so wise as to discern before, they might have saved their pains for somewhat which would have better recompenced them. But thus it generally fares with men; they suck in principles according as interest and education disposeth them, which being once in, have the advantage of insinuating themselves into che understanding, and thereby raise a prejudice against what ever comes to disturb them; which prejudice being the *Yellow-jaundise* of the soul, leaves such a tincture upon the eyes of the understanding, that till it be cured of that *Icterism*, it cannot discern things in their proper colours. Now this prejudice is raised by nothing more strongly, than when the opinion received is entertained upon a presumption, that there is a *Divine stamp* and *Impress* upon it, though no such *Effigies* be discernable there. Hence come all the several contending parties about Church Government, equally to plead an interest in this *Jus Divinum*, and whatever opinion they have *espoused*, they presently conceive it to be of no less than *Divine* extract and *Original*. And as it sometimes was with great personages among the *Heathens*, when their miscarriages were discernable to the eye of the world, the better to *palliate* them among the *vulgar*, they gave themselves out to be impregnated by some of their adored Deities; so I fear it hath been among some whose Religion should have taught them better things, when either faction, design, or interest, hath formed some conceptions within them suitable thereunto, to make them the more passable to the world, they are brought forth under the pretence of Divine truths. Far be it from me to charge any sincere, humble, sober Christians with an offence of so high a nature, who yet may be possessed with some mistakes and apprehensions of this nature; but these are only wrought on by the *Masters of parties*, who know, unless they fly so high, they shall never hit the game they aim at. This is most discernable in the *Factors* for the *Roman Omnipotency* (as *Paulus* the fifth was call'd *Omnipotentiæ Pontificiæ Conservator*) they who see not that Interest and Faction upholds that *Court* rather than *Church*, may well be presumed to be hoodwinked with more than an implicite faith; and yet if we be-

lieve the great ſupporters of that intereſt, the power they plead for is plainly given them from Chriſt himſelf, and not only offer to prove that is was ſo, but that it was not conſiſtent with the wiſdom of Chriſt that it ſhould be otherwiſe. Leſt I ſhould ſeem to wrong thoſe of any religion, hear what the author of the *Gloſs* upon the *Extravagants* (ſo they may well be called) ſaith to this purpoſe, applying that place of our Saviour, *all power is given to me in heaven and earth*, *Matth.* 28. 18. to the *Pope*, adds theſe words, *Non videretur Dominus diſcretus fuiſſe, ut cum reverentia ejus loquar, niſi unicum poſt ſe talem vicarium reliquiſſet, qui hæc omnia poſſet.* We ſee by this what blaſphemies men may run into, when they argue from their private fancies and opinions, to what muſt be done by the Law of Chriſt. It therefore becomes all ſober Chriſtians impartially to inquire what Chriſt hath done, and to ground their opinions only upon that, without any ſuch preſumptuous intruſions into the Counſels of Heaven. We here therefore take our leave of the diſpute, why it was neceſſary a form of Government ſhould be eſtabliſhed, and now enter upon a ſurvey of thoſe grounds which are taken from any paſſages of our Saviour, commonly produced as a foundation for any particular Forms.

Extravag. unum ſanctum.

§. 2. I ſhall not ſtand to prove that *Chriſt* as *Mediator* hath all the power over the *Church* in his own hands, it being a thing ſo evident from Scripture, and ſo beyond all diſpute with thoſe whom I have to deal with. In which reſpect he is the only head of the Church, and from whom all divine right for authority in the Church muſt be derived. Which right can ariſe only from ſome actions or Laws of Chriſt, which we therefore now ſearch into. The firſt publick action of Chriſt after his ſolemn entrance upon his office, which can be conceived to have any reference to the Government of his Church, was the calling the *Apoſtles*. In whom for our better methodizing this diſcourſe, we ſhall obſerve theſe three ſeveral ſteps. Firſt, When they were called to be Chriſts Diſciples. Second'y, When Chriſt ſent them out with a power of miracles. Thirdly, When he gave them their full Commiſſion of acting with Apoſtolical power all the world over.

Mat. 28. 18.

Iſa. 9. 6.

Theſe

These three seasons are accurately to be distinguished; for the Apostles did not enjoy so great power when they were disciples, as when they were sent abroad by Christ; neither had they any proper power of Church-Government after that sending forth, till after Christs resurrection, when Christ told them *all power was put into his hands*, and therefore gave them full commission to *go and preach the Gospel to all nations.* Mat. 28. 18, 19. The *first step* then we observe in the Apostles towards their power of Church-Government, was in their first calling to be Disciples. Two several calls are observed in Scripture concerning the Apostles; the first was more general, when they were called only to follow Christ; the second more special when Christ told them what he called them to, and specified and described their office to them, by telling them he would make them *Fishers of Aden.* We shall indeavour to digest the order of their calling as clearly and as briefly as we can. Our blessed Saviour about the thirtieth year of his age solemnly entering upon the discharge of his prophetical office in making known himself to be the true *Messias* to the world, to make his appearance more publick, goes to *Jordan*, and is there baptized of *John*; presently after he is led up by the Spirit into the wilderness, where he continued forty dayes. In this space of time *John* removes from *Jordan* and comes on the other side to *Bethabara*; thither *Christ* comes to *John*; *John* not only owns *Christ* himself, but tells his disciples this was he into whose name he had baptized them. Upon this two of *Johns* disciples leave their Master and follow *Christ*. These two are the first disciples we ever read our Saviour had; whereof the one was *Andrew*, *Peters* brother, and the other probably conceived to be *John* (it being his custom to conceal his name when he speaks of himself) *Andrew* calls his brother *Peter*; Christ next day calls *Philip*, *Philip* he finds *Nathaniel*. And this as far as we read, was the first number of Christs disciples. Here we find *two or three gathered together in the name of Christ*, *and Christ* (truly) *in the midst of them.* These disciples it appears staid with Christ some time, for they went with him to the marriage in *Cana*: and after went up with him to *Jerusalem*, when many professed to be his disciples; from thence he goes into *Judea*,

Luke 3. 23.

Mat. 3. 13. Mat. 4. 1.

Joh. 1. 29.

Joh. 1. 37.

Joh. 2. 2. Joh. 2. 17, 23.

John 3.22: John 4.1. where he gathers many disciples, and baptizeth them. After this he returns with his disciples by the way of *Samaria* into *Galilee*: and these disciples being now again at home, in probability did return for their livelihood to their old imployments for some small time, Christ having not yet commanded them to forsake all and follow him. Not long after (about a years space from the first calling them) *Jesus* being in *Galilee* goes to the lake of *Genezareth*, there he finds *Andrew* and *Peter* fishing: after the miracle there wrought, he then in a more solemn manner calls them to leave their imployment, for he had designed them for a greater, which was to be Fishers of men. Whereby *our Saviour* expresseth the care, pains, diligence, design and end of the Ministerial function he had appointed them for. *Andrew* and *Peter* presently leave all and follow Christ; the like do *James* and *John* whom they met with a little further upon the shore. And now those who were before but as common disciples, are admitted into a higher order and bred up by Christ as persons designed for an imployment of so high a nature. We see here a necessity of making a double call of the Apostles; else it were impossible to reconcile the narration of *John* with the other Evangelists. Therefore *Augustine* thinks their first being with *Christ* in *John*, was only for present satisfaction who he was, which assoon as they understood and admired, they returned to their own habitations. *Thomas* he makes three several callings of them, the first *ad agnitionem & familiaritatem* which is that in *John*; the second *ad Discipulatum* that spoken of in *Luke* 5. 1. the third *ad adhesionem*, Matt. 4. 18. Mark 1. 16. But I see no reason to make the story in *Luke* to be different from that of *Matthew* and *Mark*; the former some say was *vocatio ad fidem*, a general preparatory call to the latter; the latter was *vocatio ad munus Apostolicum*; although they were not chosen to be Apostles till afterwards, yet now Christ made them *Candidates* of the Apostleship, *& amicos interioris admissionis*, in order to that great imployment he had designed them for. Further we must take notice that from the time of the Baptism of *John*, the *Apostles* did generally continue with *Christ*, which appears from the qualification of an Apostle given by *Peter* at the choice of *Matthias*; *Of those men which have* com-

Luke 5. 1. Matth. 4. 18,19. Mark 1. 16, 17.

De Consensu Evang. l. 2. cap. 17.

V. Cauſaub. exer. in Bar. 13. ſ. 11. Mont. cut. Orig. Eccleſ. T. 1. p. 2. p. 41. Chemnitium Harm. Evan. c. 36.

panied

panied with us all the time that the Lord Jesus went in and out among us, beginning from the baptism of John, *unto the same day he was taken up from us.* The strength of which testimony is impregnable for proving that the Apostles did generally continue with Christ after their being called to follow him; but that time from the baptism of *John* must not be taken strictly; for many of the *Apostles*, as *Matthew*, *&c.* were not called till some time after. About four months after *Christs* more solemn calling the *Apostles*, at the time of *Pentecost*, as *Chemnitius* conjectures, our Saviour proceeds to a solemn choice of them into their offices, which is described by *Luke* 6. 13. after he had prayed the whole night before. v. 12. *Mark* he acquaints us with the ends of Christ choosing them. First, that they might continually attend upon him the better to be fitted for their imployment afterwards; which he expresseth, when he adds, that he might send them out to preach, and to give them power over Devils and diseases, to cast out the one, and to cure the other. Their actual sending out was not (say some) till half a year after, which is the story related by *Matt.* 10. 1. near a *twelve* month (say others) but presently upon their choice *Christ* makes the Sermon in the Mount, as appears by comparing *Luke* 6. 17, 20. with *Matt.* 5. 1. wherein among other things our Saviour takes occasion to declare their duty to them, telling them, they were the *Light of the world*, &c. Which he doth the more to fit them for the discharge of their imployment.

Acts 1. 21, 22.

Harmon. cap. 50.

Mark 3. 14, 15.

§. 3. Having thus laid these things together about the Apostles; from their first calling to the time of their *mission*, we shall take notice of these things from them which may relate to the office which the Apostles were called to, and to the Government of the Church by them. *First*, we here observe that our Saviour no sooner began to preach the Gospel himself, but he made choice of some persons as a peculiar order of men for the propagation of the Gospel in the world. The peculiarity of the function of a Gospel Ministry under Christ was, we see, designed from Christs first publick appearance in his office: he might have left the *Apostles* in the common order of *Disciples*, had he not intended an office in his Church distinct and peculiar from all other imployments; and therefore it is observable that Christ did not call the *Apo-*

ſtles off from their other imployments, till he deſigned to make them *Apoſtles*; before, when they were only private Diſciples, they did follow their imployments at ſome times ſtill; but when he calls them to be *Fiſhers of Men*, he bids them leave all and follow him. *Secondly*, We take notice of the admirable wiſdom of our Saviour in the choice he made of the perſons for firſt founding his Church; and the means he uſed to fit them for it. The perſons were ſuch as were moſt ſuitable to his deſign; the means ſuch as were moſt ſuitable to the perſons. The perſons were ſuch, who by reaſon of the known meanneſs of their condition, and ſuppoſed weakneſs of abilities, were the fitteſt to convince the world, that the doctrine which they preached was not the product of humane wiſdom, but the *expreſs Image* and *character* of *Divine truth*; whoſe nakedneſs and ſimplicity would gain more upon mens belief by the power which accompanied the preaching of it, than the moſt refined and ſublimated notions of their wiſe men ſhould do, managed with the greateſt ſubtilty and prudence by the maintainers of them. *Chriſt* would make men ſee that his doctrine ſtood not in need either of the wiſdom or power of men, to defend or propagate it; and therefore made choice of the moſt unlikely inſtruments for that end; *that mens faith ſhould not ſtand in the wiſdom of men, but in the power of God.* But with al we are to take notice of Chriſts admirable wiſdom in the means he uſed to fit and qualifie them for the firſt builders of his Church; for although the power and efficacy of their Preaching was wholly from God, and not from themſelves, yet our Saviour doth not preſently upon his calling them, place them in the higheſt office he intended them for, but proceeds gradually with them, and keeps them a long time under his own eye and inſtruction, before he ſends them abroad: and that for two ends chiefly: Firſt, *To be witneſſes of his actions.* Secondly, *To be Auditors of his doctrine.* *Firſt*, To be witneſſes of his actions, which was looked on by the Apoſtles, as the moſt neceſſary qualication for an Apoſtle in the place fore-cited, *Acts* 1. 21, 22. *Peter* calls himſelf a *witneſs of the ſufferings of Chriſt*, 1 Pet. 5. 1. *John* ſaith, *that which was from the beginning, which we have heard, which we have ſeen with our eyes, which we have looked upon,*

1 Cor. 2. 5.

and

and our hands have handled of the Word of life; that which we have seen and heard, declare we unto you, 1 Joh. 1. 1, 3. whereby the *credibility* of the Gospel was sufficiently evidenced to the world, when the chief Preachers of it spoke nothing but what their own senses were witnesses of, both as to the doctrine and actions of Christ; and therefore is no wayes *credible*, they should be deceived themselves in what they spoke; and more *improbable* they would deceive others, whose *interest* lay wholly upon the *truth* of the doctrine which they Preached; for by the very Preaching of that doctrine they rob'd themselves of all the comforts of life, and exposed themselves to a thousand miseries in this life; so that unless their doctrine was true in order to another life, they were guilty of the greatest folly this world ever heard of. We see what care our Saviour took to satisfie the reasons of men concerning the *credibility* of his doctrine, when the persons he imployed in the founding a Church upon it, were only such as were intimately conversant with the whole life, doctrine, and works of him from whom they received it; and thereby we cannot suppose any ignorance in them concerning the things they spoke; and lest men should mistrust they might have a design to impose on others, he made their faithfulness appear, by their exposing themselves to any hazards to make good the truth of what they Preached. Especially, having such a Divine power accompanying them in the miracles wrought by them, which were enough to perswade any rational men that they came upon a true *Embassie*, who carried such *credentials* along with them. Another end of our Saviours training up his Apostles so long in his School before he sent them abroad, was, that they might be auditors of his doctrine, and so might learn themselves before they taught others. Christ was no friend to those hasty births which run abroad with the shell on their heads; no, although it was in his power to confer the gifts of the Holy Ghost, as well at their first entrance into Discipleship as afterwards, yet we see he nurtures and trains them up gradually, teaching them as *Quintilian* would have Masters do, *Guttatim*, acquainting them now with one, then with another of the Mysteries of the Gospel. Christ doth not overwhelm them with floods and torrents.

torrents of diſcourſes, but gently drops now one thing into them, then another, by which way ſuch narrow-mouthed veſſels would be the ſooneſt filled. Yea our Saviour uſeth ſuch an οἰκονομία as the Greek Fathers call it, ſuch a prudent temper in inſtructing them, that it is matter of juſt admiration to conſider under how great and ſtupendious ignorance of the main points of redemption (Chriſts death and reſurrection, and the nature of Chriſts Kingdom) they diſcovered, after they had been ſome years under Chriſts Tutorage. And we ſee what induſtry and diligence was uſed in the training up of thoſe for the Apoſtleſhip, who were in an immediate way ſent out by Chriſt. And it is very probable that upon the firſt ſending abroad they taught not by immediate revelation, but only what they had learned from Chriſt during their being with him. Whence we ſee what a ſubordination there is in acquired parts, labour, and induſtry, to the teachings and inſpirations of the Divine Spirit; our Saviour looked not on his labour as loſt, although afterwards the *Unction from the Holy one ſhould teach them all things.* It was Chriſts deſign to have them go מחיל אל—חיל *from ſtrength to ſtrength*,
Pſal. 84. 7. *à domo ſanctuarii in domum doctrinæ*, as the *Chaldee Paraphraſt* renders that place, *from one School of learning to another.* As under the Law even thoſe that waited for the *Ruach hakkodeſh, the inſpiration of the Divine Spirit*, were brought up in the *Schools* of the *Prophets* under inſtruction there; which was the place where they lay expecting the gentle gale of the Holy Spirit to carry them forth; which was the ground of
Amos 7. 14. *Amos* his complaint, that *he was neither a Prophet, nor the ſon of a Prophet*; by which it ſeems evident that Gods ordinary courſe was to take ſome of the ſons of the Prophets out of the Colledges where they lived, and imploy them in the Prophetical office. But of this largely elſewhere. Such a *School* of the *Prophets* did our Saviour now erect, wherein he entred his Diſciples as *Scholars*, and educated them in order to the office he intended them for.

§ 4. The next thing we take notice of, is the name and nature of that office which Chriſt call'd them to. They who derive the uſe of the name of Apoſtles as applyed by Chriſt to his Diſciples, either from the ἀποστολεῖς at *Athens*, by which name the

the Masters of some ships were call'd, as the ships ἀπόστολοι, or from *Hesychius* his ἀπόστολοι, which he interprets νυμφαγωγοί, or from the ἀπόστολοι in the sense of the *Civil Law*, which signifie the dimissory letters granted for appeals; or from the Jewish שליחין as thereby were understood those ἀπόστολοι as *Epiphanius* calls them who were as Assessors and Counsellors to the *Patriarch* of the Jews at *Tiberias*; or those Officers who were sent up and down by the *Patriarch* to gather up tenths, first fruits, and such other things; who are call'd thence *Apostoli* in the *Codex Theod. tit. de Judæis*; all these I say do equally lose their labour, and run far to fetch that which might be found much nearer home; Our Saviour taking the word from common use, but applying it in a special manner to a peculiar sense, which is the custom of the Scriptures; The original of the word properly imports such as are imployed by commission from another for the dispatch of some business in his name. So *Casaubon* (who was sufficiently able to judge of the use of a Greek word) *In communi Græcorum usu* ἀπόστολοι *dicebantur certi homines, qui negotii gerendi gratiâ, magis quam deferendi nuntii, aliquo mittebantur.* And so it is taken, *John* 13. 16. οὐκ ἀπόστολος μείζων τοῦ πέμψαντος αὐτὸν, *He that is sent is not greater than he that sent him.* Thence *Epaphroditus* when imployed upon a special message to *Paul* in the name of the Churches, is call'd ἀπόστολος ὑμῶν, *Phil.* 2. 25. which we translate *your messenger.* And so *Titus* and the two other sent to the Church of *Corinth* to gather their charity, are call'd ἀπόστολοι ἐκκλησιῶν, *the messengers of the Churches.* Thence *Paul* fully renders the import and sense of the word Apostle by πρεσβεύομεν, 2 *Corinth.* 5. 20. *We act as Ambassadors for Christ.* To which purpose it is observable that the Septuagint (whose Greek is most followed by the New Testament) do render the word שלח when it signifies to imploy a messenger upon special service, by ἀποστέλλειν, as 1 *King.* 21. 11. —— 1 *King.* 12. 18. *Exod.* 4. 30. and the very word ἀπόστολος is used in this sense, 1 *King.* 14. 6. where *Abijah* saith, I am ἀπόστολος πρὸς σὲ σκληρὸς, *a sad messenger to thee; for thus saith the Lord.* Whereby the full sense and importance of the word Apostle appears to be, one that is imployed by a peculiar commission

Suidas in v. *Digest. l.* 50. *tit.* 16. *leg.* 166. *Cor. Libionitas.* *Lib.* 16. *tit.* 8. *Exercit.* 14. *Sect.* 4. 2 Cor. 8. 23.

from him that hath authority over him for the doing some special service. Thus were Christs disciples called Apostles, from the immediate commission which they had from Christ for the discharge of that work which he imployed them in. Thence our Saviour makes use of the word *sending* in the proper and peculiar sense when he gives the Apostles their commissions, in those remarkable words of Christ to them. *As the Father hath sent me, even so send I you.* Joh. 20. 21. Whereby our Saviour delegates his power and authority which he had as Doctor of the Church, to his Apostles, upon his leaving the world, not in a *privative way*, so as to destroy his own authority over the Church, but in a *cumulative way*, investing them with that authority which they had not before, for both teaching and governing the Church. No argument then can be drawn for the right or form of Church-Government from Christs actions towards his disciples before the last and full commission was given unto them; because they had no power of Church-Government before that time.

§. 5. Which will be further cleared, if we consider their first sending out, spoken of *Math.* 10. 1. *Mark* 6. 7. *Luke* 9. 1. Several things lie in our way to be observed in reference to this *Mission* of the Apostles. *First*, that though the Apostles had been now for some competent time, not only called to their office, but solemnly chosen to it; yet we no where read that they did ever exercise that office till now they were sent forth by Christ. They remained still at Christs feet, learning for their own instruction, and fitting themselves for their future imployment, and thought it no inconvenience while they lay for a wind, to lay in sufficient lading and provision for their voyage. Baptize indeed they did before *Joh.* 4. 2. but that I suppose was done by them by an immediate present order from Christ himself being by as the chief in the action; thence Christ in one place is said to baptize, *Joh.* 3. 22. and yet he is said not to baptize, but his disciples, *John* 4. 2. Christ did it *authoritatively*, the disciples *ministerially*. Yet if we should grant the disciples did then baptize as private men after the received custome of the Jews, (among whom only a *Consessus trium* was requisite to baptize a proselyte)

lyte) this doth not at all take off from the peculiarity of a function both to preach and baptize, because as yet the Gospel Ministry was not instituted; and therefore what might be lawful before restraint, doth not follow it should be so after: when all those scattered rayes and beams which were dispersed abroad before, were gathered into the ministerial office upon Christs appointing it, as that great *Hemisphere* of light in the Creation was after swallowed up in the body of the Sun. But now were the Apostles first sent out to preach, and now God first begins to null the Jewish Ministery, and set up another instead of it, and makes good that threatning: *that he was against the Shepherds, and would require the flock at their hand and cause them to cease to feed the flock*, &c. Here then we have the first exercise of the Apostles Ministery, for which we see besides their former call and choice, particular mission was after necessary. *Secondly* we observe that the imployment Christ sent them upon now, was only a temporary imployment, confined as to work and place, and not the full Apostolical work. The want of considering and understanding this, hath been the ground of very many mistakes among men, when they argue from the occasional precepts here given the *Apostles*, as from a standing perpetual rule for a Gospel Ministry: Whereas our Saviour only suited these instructions to the present case, and the nature and condition of the Apostles present imployment, which was not to preach the Gospel up and down themselves, but to be as so many *John Baptists* to call people to the hearing of *Christ* himself; and therefore the doctrine they were to preach was the same with his, *the Kingdom of Heaven is at hand*, whereby it appears their doctrine was only preparatory to Christ; it being only to raise up higher expectations of the Gospel-state under the *Messias*; and these were they *whom the King now sent into the high-wayes to invite men to the marriage feast and to bid them to come in to him.* This was the only present imployment of the Apostles in their first mission: in which they were confined to the Cities of *Judea*, that they might have the first refusal of the Gospel offers. This mission then being *occasional*, *limited*, and *temporary*, can yield no foundation for any thing *perpetual* to be built upon it.

Ezek 34 10.

Matth. 10. 7.

Matth. 22. 9.

Thirdly, we obſerve that thoſe whom Chriſt imployed in the firſt diſperſing the Goſpel abroad, were furniſhed with arguments ſufficient to evince not only the *credibility*, but the certain *truth* of what they preached. Therefore Chriſt when he
Mat. 10. 2. now ſent them out, gave them ἐξουσίαν πνευμάτων, not only a *meer power to work miracles*, but *a right conferred on them to doe it* as the *Apoſtles* of *Chriſt*. Theſe were the *Credentials* which the Apoſtles carried along with them, to ſhew from whom they derived their power, and by whoſe authority they acted. And theſe were the moſt ſuitable to them, as making it appear that a divine preſence went along with them, and therefore they could not falſifie to the world in what they declared unto them; which was the beſt way for them to evidence the truth of their doctrine, becauſe it was not to be diſcovered by the evidence of the things themſelves, but it depended upon the teſtimony of the Author, and therefore the only way to confirm the truth of the doctrine, was to confirm the credibility of the Author, which was beſt done by doing ſomething above what the power of nature could reach unto. And this was the prerogative of the *Apoſtles* in their firſt miſſion above *John the Baptiſt*: for of him it is ſaid that he did no miracle. *Fourthly*, we obſerve that the Apoſtles in this miſſion were inveſted in no power over the Church, nor in any ſuperiority of order one over another. The firſt is evident, becauſe Chriſt did not now ſend them abroad to gather Churches, but only to call perſons to the doctrine of the *Meſſias*; and while Chriſt was in the world among them, he retained all Church power and authority in his own hand. When this temporary miſſion expired, the Apoſtles lived as private perſons ſtill under Chriſts Tutorage, and we never read them acting in the leaſt as Church officers all that while. Which may appear from this one argument, becauſe all the time of our Saviours being in the world, he never made a total ſeparation from the *Jewiſh Church*, but frequented with his diſciples the *Temple worſhip* and ſervice to the laſt; although he ſuper-added many *Goſpel obſervations* to thoſe of the *Law*. And therefore when no Churches were gathered, the Apoſtles could have no Church power over them. All that can be pleaded then in order to Church Government from the conſideration

ſideration of the form of Government as ſetled by our Saviour, muſt be either from *a ſuppoſed inequality among the Apoſtles themſelves*, *or their ſuperiority over the LXX. Diſciples*; *or from ſome rules laid down by Chriſt in order to the Government of his Church*, *of which two are the moſt inſiſted on*, Matth. 20. 25. Matth. 18. 17. Of theſe then in their order.

The firſt argument drawn for an eſtabliſhed form of Government in the Church, from the ſtate of the Apoſtles under Chriſt, is, *from a ſuppoſed inequality among the Apoſtles, and the ſuperiority of one as Monarch of the Church*; which is the Papiſts Plea from St. *Peter*, as the chief and head of the Apoſtles. Whoſe loud exclamations for *St. Peter*'s authority are much of the ſame nature with thoſe of *Demetrius* the Silver-ſmith at *Epheſus*, with his fellow Craftſmen, who cried up, Great is *Diana* of the *Epheſians*, not from the honour they bore to her as *Diana*, but from the gain which came to them from her worſhip at *Epheſus*. But I diſpute not now the *entail* of *St. Peter's power*, what ever it was to the *Roman Biſhop*: but I only inquire into the *Pleas* drawn for his authority from the Scriptures, which are written in ſo ſmall a character, that without the *ſpectacles* of an implicite Faith, they will ſcarce appear legible to the eyes of men. For what though *Chriſt changed St. Peter*'s *name*? muſt it therefore follow that Chriſt baptized him Monarch of his Church? Were not *John* and *James* called by Chriſt *Boanerges*? and yet who thinks that thoſe *Sons of Thunder* muſt therefore overturn all other power but their own? *Chriſt* gave them new names, to ſhew his own *authority over them*, and not their *authority over others*: to be as *Monitors of their duty*, and not as *Inſtruments to convey power*. So *Chriſoſtome* ſpeakes of the very name *Peter* given to *Simon*, it was to ſhew him his duty of being fixed and ſtable in the faith of Chriſt, ἵνα ἔχῃ διδάσκαλον διηνεκῆ τὴν προσηγορίαν τῆς τοιαύτης στερρότητος, *this name might be* (as a ſtring upon his finger) *a continual remembrancer of his duty*. And likewiſe, I conceive, as an incouragement to him after his fall, that he ſhould recover his former ſtability again; elſe it ſhould ſeem ſtrange that he alone of the *Apoſtles* ſhould have his name from *firmneſs* and *ſtability*, who *fell* the ſooneſt, and the fouleſt of any

§. 6.

Tom. 8. *ed. Savil. p.* 105.

of the Apoſtles; unleſs it were καθ' ἀνθρωπον, which would be worſe *Divinity* then Rhetorick. The change then of Saint *Peters* name imports no ſuch univerſal power, neither from the change, nor from the name. *But why then hath* St. Peter *the honour to be named firſt of all the Apoſtles? Firſt*, it ſeems to be implyed as an honour given to *Peter* above the reſt; but doth all honour carry an univerſal power along with it? there may be order certainly among equalls; and there may be *firſt*, *ſecond* and *third*, *&c.* where there is no imparity and juriſdiction in the firſt over all the reſt. *A Primacy of order* as among equals, I know none will deny *St. Peter*: *A primacy of power* as over Inferiors, I know none will grant, but ſuch as have ſubdued their reaſon to their paſſion and intereſt. Nay, a further order then of meer place may without danger be attributed to him: a primacy *in order of time*, as being of the firſt called, and it may be the firſt who adhered to Chriſt, *in order of age*; of which *Jerom*, *etati delatum quia Petrus ſenior erat*, ſpeaking of *Peter* and *John*; nay yet higher, ſome *order of dignity* too; in regard of his θερμότης which the *Greek Fathers* ſpeak ſo much of; the fervency and heat of his ſpirit, whence by *Euſebius* he is called στόμα τῶν ἀποστόλων *the Prolocutor among the Apoſtles*, who was therefore moſt forward to inquire, moſt ready to anſwer, which *Chryſoſtome* elegantly calls προπετῆ alluding to the name κορυφαῖος and ἔξαρχος, which are frequently given to *Peter* by the Fathers, which import no more then *præſultor in choreâ*, he that led the dance among the diſciples: but his being κορυφαῖος implyes no ſuperiority of power. For *Dyonyſſ. Halycarnaſſ.* calls *Appius Claudius* τὸν κορυφαιότατον τῆς δεκαρχίας, whereas all know that the *Decemviri* had an equality of power among themſelves. Neither doth his being as the mouth of the diſciples imply his power; For *Aaron* was a mouth to *Moſes*, but *Moſes* was *Aarons* maſter. Neither yet doth this primacy of order always hold in reference to *Peter*; for although generally he is named firſt of the Apoſtles, as *Matth.* 10. 2. *Mark* 3. 16. *Acts* 1. 13. *Mark* 1. 36. *Luk.* 8. 45. *Acts* 2. 14.———37. Yet in other places of Scripture we find other Apoſtles ſet in order before him as *James*, *Galat.* 2. 9. *Paul* and *Apollos*, and others, 1 *Cor.* 3. 22.

Lib. 1. *c. Jovin.*

Hiſt. Eccleſiaſt. lib. 2. *c.* 14.

Chryſoſt. in Matth. 6. 16.

Hiſt. Rom. lib. 11.

1 *Cor.*

1 *Cor.* 1. 12. ——— 9. 5. No argument then can be drawn hence, if it would hold but only a primacy of order; and yet even that fails too in the Scriptures changing of the order ſo often. *But, ſay they, whatever becomes of this order, we have a ſtrong foundation for Saint* Peters *power, becauſe Chriſt ſaid He would build his Church upon him, Matth. 16. 17.* This were ſomething indeed, if it were proved; but I fear this *rock* will not hold water, as it is brought by them; nor Saint *Peter* prove to be *that rock*. For, indeed, was the Church built upon Saint *Peter?* then he muſt be the chief foundation-ſtone, and *Peter* muſt build upon himſelf, and not upon Chriſt, and all the Apoſtles upon him; and thus in exalting the ſervant, we depreſs the Maſter; and ſetting a *new foundation*, we take away the *only foundation Jeſus Chriſt.* If by being built upon *Peter*, they mean no more then being built by him as the chief inſtrument; it is both a very incongruous ſpeech, and implyes nothing more then what was common to him, and the reſt of the Apoſtles, who were all Maſter-builders in the Church of Chriſt, as *Paul* calls himſelf; and in that reſpect are ſet forth as *the twelve foundation-ſtones*, in the walls of the *New Jeruſalem.* 1 Cor. 3. 12. Rev. 21. 19.

The rock then ſpoken of by Chriſt, in his ſpeech to *Peter*, if taken *doctrinally*, was S. *Peters* confeſſion, as many of the Fathers interpret it; if taken *perſonally*, it was none other but Chriſt himſelf; who uſed a like ſpeech to this, when he ſaid, *Deſtroy this Temple, and in three dayes I will raiſe it up.* Joh. 2. 19. Which words, though ſpoken by occaſion of the material Temple (as thoſe were of *Peters* name) yet Chriſt underſtood them of the temple of his body, (as here likewiſe he doth of his perſon.) *But ſtill they urge, Chriſt put the Keyes into Saint* Peters *hands*, Matth. 16. 19. *Now the power of the Keyes doth denote regal authority.* I anſwer, *firſt*, The Keyes may be given two wayes, either *from a Prince to a ſubject*, or *from a City to a Prince.* In this latter acception, they denote principality in the receiver, but withall inferiority and ſubjection in the Giver: and in this ſenſe, I am ſo charitable, as to think they will not ſay that Chriſt gave the Keyes to *Peter*; it muſt be then as a Prince to a ſubject; and when they are ſo given, it doth not imply any univerſal power in the perſons

to

to whom they are given, but an inveſting them in that particular place he hath appointed them to; the office which the power of the Keyes implyes, is *Miniſterial*, and not *Authoritative*; *Declarative*, and not *Juridical*; *over perſons committed to their charge, and not over officers joyned in equality of power with them.* For ſo were the reſt of the Apoſtles with *Peter* in the ſame power of the Keyes, *Matth.* 18.18. *John* 20.23. This power of the Keyes then was given to *Peter* in a *peculiar manner*, but *nothing peculiar* to him given thereby. *But ſtill there remains another Ward in Saint* Peter's *Keyes, and the laſt foot to the Popes Chair; which is* Paſce oves, *Feed my ſheep; a charge given particularly to* Peter, *John* 21.15. Thence they infer *his power over the whole Church.* But this *foot* hath neither *joints* nor *ſinews* in it, and is as infirm as any of the reſt: for neither did this *command* rather then *commiſſion* belong only to *Peter*; for Chriſt had before given them all their general commiſſion; *As the Father hath ſent me, even ſo ſend I you, John* 20.21. whereby is implyed an inveſting all the Apoſtles equally, with the power and authority of governing the Church of God; although this charge be peculiarly renewed to *Peter*, becauſe as he had particularly faln, ſo he ſhould be particularly reſtored; neither yet did we grant this: doth the word ποιμάινειν, imply ſuch a *power* and authority as they plead for, *viz.* A ſupream power over the Church of God? for this even by *Peter* himſelf is attributed to the fixed *Presbyters* of the *Churches*, who by this argument have as much authority conveyed them, as Saint *Peter* had, 1 *Pet.* 5.2. and yet ſhould we grant this, it would not infer what they deſire; for theſe *ſheep* were not the whole Church of Chriſt, taken *abſolutely* but *indefinitely.* For all the Apoſtles had a command *to preach to every creature*, Matth. 28.18. which was as to the words larger, as to the ſenſe the ſame with that to Saint *Peter* here. And afterwards we find *Peter* called *the Apoſtle of Circumciſion*, and *the Apoſtles ſending him to* Samaria, *and* Paul *in the right hand of fellowſhip with* Peter; which had been certainly diſhonourable to *Peter*, had he been inveſted with ſuch an univerſal ſupream power over the Apoſtles and the whole Church. Such pretences then as theſe are, for ſuch an extravagant power in the Church of God from

Gal. 2.7.
Act. 8.14.
Gal. 2.9.

from such miserably weak foundations, for the upholding a corrupt interest, have given the occasion to that tart *Sarcasm*, *In Papatu sub* Petri *nudo nomine Satan non amplius Larva.* But that which would seem sufficient to awaken any out of this dream of Saint *Peters* power over the rest of the Apostles, is, the frequent contendings of the twelve Apostles, one among another, who should be greatest, and that even after that Christ had said, Upon this rock will I build my Church; as we may see, *Matth* 20. 24. If Christ had conferred such a power on Saint *Peter*, what little ground had there been for the request of *James* and *John*? and would not our Saviour rather have told them, the chiefest place was conferred on *Peter* already, then have curbed their ambition in seeking who should be greatest; and would have bid them be subject to *Peter* as their Head and Ruler. We see not then the least foundation for an universal *Monarchy* in the Church of God; and so this form of Government is not determined by any actions or commands of Christ.

Mat. 18. 1. Mark 9. 34. Luk. 9. 46.

§. 7. We come now to consider the pleas of others, who joyn in renouncing any supream power under Christ, over the Church of God; but differ as to the particular forms of Government in the Church; those who are for an *inequality*, usually fix on the *imparity between the Apostles and the LXX.* Those that are for a *parity* upon *Matth.* 20. 25. and *Matth.* 18. 17. I shall here proceed in the former method, to shew that none of those can prove the form they contend for as only *necessary*, nor their adversaries prove it *unlawful.* *First* then for the inequality between the Apostles and the *LXX.* Disciples; by that inequality is meant, either only *an inequality of order*; or else, an *inequality carrying superiority and subordination.* It is evident that the *LXX. disciples* were not of the same *Order* with the *twelve Apostles*, whom Christ had designed for the chief Government of his Church, after his *Ascension*; and in this respect the comparison of the *twelve heads of the Tribes*, and the *seventy Elders*, seems parallel with the *twelve Apostles*, and the *LXX. disciples*; but if by imparity, be meant that the twelve Apostles had a *superiority of power and jurisdiction* over the *LXX.* disciples; there is not the least evidence or foundation, in Reason or Scripture for it. For

the *LXX.* did not derive their power from the *Apoſtles*, but immediately from *Chriſt*, they enjoyed the ſame privi-
Luke 10. 1. ledges, were ſent upon the ſame meſſage, (making way for Chriſts entertainment in the ſeveral Cities they went to) yea all things were parallel between them and the Apoſtles in their miſſion (unleſs any difference be made in the Cities they went to, and their number). So that there is no ſuperiority of office in the Apoſtles, above the *LXX.* nor of power and juriſdiction over them; their Commiſſions being the ſame: And it ſeems moſt probable that both their miſſions were only temporary, and after this the *LXX.* remained in the nature of private diſciples, till they were ſent abroad by a new Commiſſion after the reſurrection, for preaching the Goſpel, and planting Churches. For we ſee that the Apoſtles themſelves were only *Probationers*, till Chriſt ſolemnly authorized them for their *Apoſtolical employment*, *Matth.* 28. 18. *John* 20. 21. when their full Commiſſions were granted to them, and then indeed they acted with a *plenitude of power*, as Governors of the Church, but not before. Nothing can be inferred then for any neceſſary ſtanding rule for Church Government, from any compariſon between the Apoſtles and the *LXX.* during the life of Chriſt, becauſe both their miſſions were temporary and occaſional. Only we ſee, that becauſe Chriſt did keep up the number of the *Twelve* ſo ſtrictly, that as the *LXX.* were a diſtinct number from them, ſo when one was dead, another was to be choſen in his ſtead (which had been needleſs, if they had not been a diſtinct Order and Colledge by themſelves) it is thence evident that the Apoſtolical power, was a ſuperiour power to any in the Church; and that ſuch an inequality in Church-Officers as was between them and particular Paſtors of Churches, is not contrary to what our Saviour ſaith, when he forbids that dominion and authority in his diſciples, which was exerciſed by the Kings of the earth, *Matth.* 20. 25. *Luke* 22. 25. which places, becauſe they are brought by ſome, to take away all inequality among Church-Officers, I ſhall ſo far examine the meaning of them, as they are conceived to have any influence thereupon. *Firſt* then, I ſay, that it is not only the *abuſe of civil power*, which our Saviour forbids his diſciples,

but

but the *exerciſe of any ſuch power as that is.* And therefore the *Papiſts* are miſtaken, when from the words of *Luke*, *Vos autem non ſic*, they conclude *all power* is not forbidden, but only *ſuch a tyrannical power*, as is there ſpoken of. For thoſe words are not a *limitation* and *modification* of the *power* ſpoken of, but a *total prohibition* of it; for *firſt*, the compariſon is not between the *Apoſtles* and *Tyrants*, but between *them and Princes*; yea ſuch as *Luke* calls εὐεργέτας. Indeed, had Chriſt ſaid, The Kings of the earth abuſe their authority; *vos autem non ſic*; then it would have been only a limitation of the exerciſe of power; but the meer exerciſe of civil authority being ſpoken of before, and then it being ſubjoyned, *but you not ſo*; it plainly implies a forbidding of the power ſpoken of, in the perſons ſpoken to. Luk. 22. 25.

But *ſay they*, the words uſed in *Matthew* are κατακυριεύουσιν and κατεξουσιάζουσιν, which import the abuſe of their power which is forbidden; but I anſwer, *firſt*, in *Luke* it is otherwiſe; for there it is the ſimple κυριεύουσιν and ἐξουσιάζοντες, when it follows, ὑμεῖς δὲ οὐχ οὕτως. So that if the abuſe be forbidden in one, the uſe is in the other: but *ſecondly*, κατακυριεύειν, by the *LXX.* is uſed frequently for κυριεύειν, and רדה is often rendred by that word; as *Pſalm* 72. 7. *He ſhall have dominion*, καὶ κατακυριεύσει, *Pſalm* 110. 2. κατακυρίευε, *Rule thou in the midſt of thine enemies*; in both which places, it is ſpoken of Chriſts Kingdom. So in *Geneſis* 1. 28. πληρώσατε τὴν γῆν καὶ κατακυριεύσατε αὐτῆς. *Repleniſh the earth, and have dominion over it.* In all which places it is uſed ſimply for dominion, and not for tyrannical power. v. Pſal. 109. Jer. 3. Numb. 23——32.

It is not then the abuſe of civil power, but the uſe of it, which is here forbidden: which will be more evident; *ſecondly*, from the importance of the phraſe οὐχ οὕτως; which anſwers to the Hebrew לא כן and ſimply denies what went before; as when *Cain* expreſſeth his fear of being kill'd, *Geneſ.* 4. 14. The *Septuagint* render Gods anſwer by οὐχ οὕτως, whereby is not denyed only the manner of his death to be as *Abels* was, but it is ſimply denyed; and ſo *Pſalm* 1. 4. the *LXX.* render לא כן הרשעים by οὐχ οὕτως οἱ ἀσεβεῖς· οὐχ οὕτως, *the wicked are not ſo.* So, when Chriſt ſaith, *Matth.* 19. 8. ἀπ' ἀρχῆς δὲ οὐ γέγονεν οὕτω. *from the beginning it was not ſo*; it imports

an abſolute denyal of giving bills of divorce from the beginning. *Thirdly*, this no wayes anſwers to the ſcope of the Apoſtles contention, which was meerly about primacy and power, and not at all about the abuſe of this power. So that by this place, all affectation and uſe of a civil, co-active, external power is forbidden to the Officers of the Church; the power of the Church being only a directive, voluntary power; and is rather a *Miniſtry* then a *power*, as our Saviour expreſſeth there, *Matth.* 20. 26. *Luke* 22. 26. But having thus excluded all Civil Power from the Governours of the Church, as ſuch: I ſay, *ſecondly*, that this place doth no ways imply a prohibition of all inequality among the Governors of the Church; which is abundantly cleared by this reaſon, becauſe by the acknowledgment of all parties, the Apoſtles had a ſuperiour power over the ordinary Paſtors of Churches; Now if the exerciſe of all ſuperiority had been forbidden, this muſt have been forbidden too; as implying plainly an exerciſe of authority in ſome over others in the Church. And therefore *Muſculus* thus explains the place: *Non exigit hoc Chriſtus ut omnes in regno ſuo ſint æquales, ſed nè quiſpiam cupiat magnus & primus haberi & videri.* It is not an inequality of Order, but ambition which Chriſt forbids; and therefore he obſerves that Chriſt ſaith not, Let none be great among you, and none firſt; which ſhould have been, if all primacy and ſuperiority had been forbidden, and a neceſſity of an equality among Church-Officers: *but he that will be great among you, let him be your Miniſter.* Let thoſe that are above others, look upon themſelves as the ſervants of others, and not as their maſters. For God never beſtows any power on any, for the ſake of thoſe that have it, but for the ſake of thoſe for whom they are imployed: When men ſeek then their own greatneſs, and not the ſervice of the Church, they flatly contradict this precept of Chriſt, *But with you it ſhall not be ſo.* But however an inequality of Power and Order for the Churches good is not thereby prohibited: Which is ſufficient for my purpoſe.

§. 8. The next place to be conſidered is that in *Matth.* 18.15, 16,17. *If thy brother ſhall treſpaſs againſt thee, go and tell him his*

his fault between thee and him alone; if he ſhall hear thee, thou haſt gained thy brother. But if he will not hear thee, then take with thee one or two more, that in the mouth of two or three witneſſes every word may be eſtabliſhed. And if he ſhall neglect to hear them, tell it to the Church; but if he neglect to hear the Church, let him be unto thee as a heathen man and a Publican. It ſeems a very ſtrange thing to conſider that this one place hath been *preſſed* by all parties to *ſerve* under them, for the maintenance of their own particular form of Government: ſo that, (as the *Jews* fable of the *Manna*) it hath had a different taſt, according to the diverſity of the palats of men. Thoſe that are for a *Congregational Church*, being the firſt receptacle of Church power, ſet this place in the front of their arguments; thoſe who plead for *Standing Presbyteries*, *Lay-Elders*, *ſubordination of Courts*, fetch all theſe out of this place; thoſe that are for a *power of Church Diſcipline* to be only lodged in a *higher order of Church Officers* ſucceeding the Apoſtles, derive the ſucceſſion of that power from this place; nay leſt *quidlibet* ſhould not be proved *è quolibet*, the Papiſts diſpair not of proving the *conſtant viſibility of the Church*, *the ſubordination of all to the Pope*, *the infalibility of general Councils*, all out of this place. Methinks then it might be argument enough of the incompetency of this place to determine any one particular form, when it is with equal confidence on all ſides brought to prove ſo many; eſpecially if it be made appear that the general rule laid down in theſe words, may be obſerved under a diverſity of forms of Government. For whether by the Church we mean the community of the faithful in a particular Congregation, or the ſtanding officers of ſuch a Church, or a Conſiſtorial Court, or Synodical Aſſembly, or higher Church officers, it is ſtill the duty of men in caſe of offences, to tell the Church for redreſs of grievances, or vindication of the perſon himſelf, that he hath diſcharged his duty.

This place then determines not what this Church is, nor what the form of its Government ſhould be, when the ſenſe of it holds good and true under ſuch diverſity of forms. But we ſhall further inquire what influence this place can have upon the modelling the Government in the Church of God. For

Chamier

Chamier tells us, the *prima Politiæ Eccleſiaſticæ origo* is to be found in theſe words; it will be then worth our inquiry to ſee what foundation for Church Government can be drawn out of theſe words. In which the variety of expoſitions (like a multitude of Phyſitians to a diſtemper'd Patient) have left it worſe then they found it; I mean more difficult and obſcure. We ſhall therefore endeavour to lay aſide all pre-conceptions by other mens judgments and opinions; and ſee what innate light there is in the text it ſelf to direct us to the full ſenſe and meaning of it. Two things the great difficulty of the place lyes in, *What the offences are here ſpoken of? What the Church is which muſt be ſpoken to?* For the *Firſt*, I conceive it evident to any unprejudicated mind, that the matter our Saviour ſpeaks of, is a matter of private offence and injury, and not a matter of ſcandal, as ſuch conſidered in a Church ſociety; which I make appear thus. *Firſt*, From the parallel place to this, *Luke* 17. 3. *If thy Brother treſpaſs againſt thee, rebuke him; and if he repent, forgive him.* This can be nothing elſe but a matter of private injury, becauſe it is in the power of every private perſon to forgive it; which it was not in his power to do, were it a matter of ſcandal to the whole Church; unleſs we make it among Chriſtians (as it was among the Jews) that every private perſon might excommunicate another, and ſo releaſe him afterward. *Secondly*, It manifeſtly appears from St. *Peters* words next after this Paragraph, *Mat.* 18. 20. *Lord, how often ſhall my brother ſin againſt me, and I forgive him, till ſeven times?* &c. Chriſt anſwers him, *till ſeventy times ſeven*, that is, as often as he doth it. And thence Chriſt brings the parable of the King forgiving his ſervants, *v.* 23. *Thirdly*, Were it meant of any ſcandalous ſin committed with the privacy of any particular perſon (as many underſtand treſpaſſing *againſt thee*, that is, *te conſcio*) then this inconvenience muſt neceſſarily follow, that matters of ſcandal muſt be brought to the Churches cognizance when there can be no way to decide them; that is, when one offends, and only one perſon knows it; here will be a ſingle affirmation on one ſide, and denyal on the other ſide, and ſo there can be no way to decide it; the matter here ſpoken of then is ſomewhat only relating to the offence or injury of ſome particular perſon,

To. 2. *l.* 19. *c.* 5. *ſ.* 2.

ſon, and not a matter of ſcandal to the whole Church. The Queſtion then as propounded to be ſpoken to by our Saviour, is, *What is to be done in caſe of private offences between man and man?* and not in caſe of ſecret ſins againſt God, and ſcandalous to the Church? Now to this our Saviour layes down his anſwer gradually: firſt, there muſt be *private admonition*; if that ſucceed not, *admonition before witneſſes*; if not that, *telling the Church*; if not that neither, *reputing him as a Heathen and Publican.* Now in this anſwer, we muſt conceive our Saviour ſpeaks as to an ordinary caſe, ſo in a way eaſie to be underſtood by all that heard him: and therefore he muſt ſpeak in alluſion to what was at that time among the Jews in ſuch caſes, which is freely acknowledged both by *Calvin* and *Beza* upon the place. *Nam certè tanquam de Judæis hæc dici apparet, ſaltem ex eo quod addit, ſit tibi ſicut Ethnicus & Publicanus.* We muſt then ſee what the cuſtom was among the Jews in ſuch caſes, and how far our Saviour doth either approve the cuſtome received, or appoint new. The Law was very ſtrict in caſe of offences, *for every man in any wiſe to rebuke his neighbour, and not to ſuffer ſin upon him*; *Arguendo argues*, our old Tranſlation renders it, *Thou ſhalt plainly rebuke thy Neighbour.* Now this piece of neceſſary Diſcipline our Saviour endeavours to recover among them, which it ſeems was grown much out of uſe with them. For *Rabbi Chanina*, as Mr. *Selden* obſerves, gave this as one reaſon of the deſtruction of *Jeruſalem*, *Becauſe they left off reproving one another: Non exciſa fuiſſent Hieroſolyma, niſi quoniam alter alterum non coarguebat.* Our Saviour therefore inforceth this Law upon them in caſe of offences; firſt to deal plainly with their neighbour in reproving him: but our Saviour reſts not here, but being himſelf a pattern of meekneſs and charity, he would not have them to reſt in a bare private admonition, but to ſhew their own readineſs to be reconciled, and willingneſs to do good to the ſoul of the offending party thereby, he adviſeth further to take two or three witneſſes with them, hoping thereby to work more upon him: but if ſtill he continues refractory, and is not ſenſible of his miſcarriage, *Tell it the Church.* What the Church here is, is the great Controverſie; ſome, as *Beza* and his followers, underſtand an Eccleſiaſtical

Beza in loc.

Lev. 19.17.

De ſyned. l. 1. c. 9.

In Gemar. Babyl. ad tit. Shabbath. c. 16. f. 119.

Sanhedrin

Sanhedrin among the Jews, which had the proper cognizance of Eccleſiaſtical cauſes; but it will be hard to prove any ſuch *Sanhedrin* in uſe among them; the Prieſts and Levites indeed were very often choſen into the *Sanhedrin*, (which it may be is the ground of the miſtake) but there was no ſuch *Sanhedrin* among them, which did not reſpect matters criminal and civil: ſo we muſt underſtand what *Joſephus* ſpeaks of the Prieſts among the Jews. Τέτοις ἦν καὶ τὰ νόμα καὶ τῶν ἄλλων ἐπιτηδευμάτων ἀκριβὴς ἐπιμέλεια· καὶ δὲ ἐπίσκοποι πάντων, καὶ δικασταὶ τῶν ἁμαρτανόντων, καὶ κολασταὶ τῶν κατεγνωσμένων οἱ ἱερεῖς ἐπῄχθησαν. *The Prieſts were alwaies very ſtudious of the Law, and other matters of concernment. Theſe were appointed as the Overſeers of all things, Judges of Controverſies, and the puniſhers of condemned perſons.* Thus we ſee he is ſo far from attributing a diſtinct Eccleſiaſtical Court to them, that he ſeems to make them the only Judges in civil and criminal cauſes. Others by the Church underſtand the Chriſtian Church; but herein they are divided; ſome underſtanding by it only the Officers of the Church, ſo *Chryſoſtom* τοῖς προεστῶσι. *Euthymius Eccleſiam nunc vocat præſides fidelium Eccleſiæ.* Others underſtand it not in its repreſentative notion, but in its diffuſive capacity, as taking in all the members. But our Saviour ſpeaking to a preſent caſe, muſt be ſuppoſed to lay down a preſent remedy, which could not be, if he gave only rules for governing his Church which was not as yet gathered nor formed, there being then no *Court Eccleſiaſtical* for them to appeal unto. Suppoſe then this caſe to have fallen out immediately after our Saviours ſpeaking it, that one brother ſhould treſpaſs againſt another, either then notwithſtanding our Saviours ſpeech (which ſpeaks to the preſent time, *Go and tell the Church*) the offended brother is left without a power of redreſs, or he muſt underſtand it in ſome ſenſe of the word Church, which was then in uſe among the Jews. And theſe who tell us, *That unleſs* ἐκκλησία *be underſtood for a Church as we underſtand it, it would be no eaſie matter for us now to conceive what the Holy Ghoſt meant by it*, would do well withal to conſider how thoſe to whom Chriſt ſpoke, ſhould apprehend his meaning if he ſpoke in a ſenſe they never heard of before. And certainly our beſt way to underſtand the meaning of Scripture

V. Grotium in Matth. 5. 22. *Selden de ſyned. l. 2. c. 8.*

Joſeph. l. 2. cont. Appion.

Geleſpy Aarons rod lib. 3 c. 2. p. 552. l. 2. c. 9. p. 296.

Scripture is to consider *what*, *of whom*, *to whom* the Scripture speaks; for although the Scripture as a rule of faith for us, be supposed to be so written, as to be easily understood by us, yet as the parcels of it were spoken upon several occasions, they must be supposed to be so spoken, as to be apprehended by them to whom they were spoken in the common sense of the words, if nothing peculiar be expressed in the speech, whereby to restrain them to another sense. And therefore the *Church* must be understood in the same sense wherein the word קָהָל or the *Syriack* answering to it was apprehended among the Jews in our Saviour's time. Which could not be for any new Consistory or *Sanhedrin* to be erected under the Gospel. Thence others conceiving that Christ did speak according to the custome of the Jews, by the *Church*, understand nothing else but the *Sanhedrin*, and so make the sense of the words to be this. The case our Saviour speaks to is that of private quarrels, wherein our Saviour lays down two directions in a way of charity, *private admonition*, and *before witnesses*; but if the party continues refractory, then it may be lawful to convent him before the Courts of Judicature among them, the *Triumvirate*, the 23. or the great *Sanhedrin*; for although the *Romans* had taken away the power of the *Jews* in capital matters, yet they allowed them liberty of judging in case of private quarrels; but if he neglect to hear the *Sanhedrin*, then it may be lawful to implead him before the *Governour* of the *Province* in his Court of Judicature, by which Heathens and Publicans were to be judged; which is meant by *let him be to thee*, not as a brother Jew, *but as a Heathen and a Publican*. This Exposition is said to be first Broached by *Erastus*, but much improved and enlarged by *Rev. Bishop Bilson*, who spends a whole Chapter upon it. But this Exposition though it seems fair and plausible, yet there are several things in it which keep me from imbracing it; as *first*, it seems not very probable that our Saviour should send his Disciples to whom he speaks, to the Jewish *Sanhedrin* for the ending any controversies arising among themselves; knowing how bitter enemies they were to all who were the followers of Christ. *Secondly*, it seems not very agreeable with the scope of our Saviour's speech,

Thes. 41. Perpetual Government. c. 4.

which was to take up differences as much as may be among his disciples, and to make them shew all lenity and forbearance towards those that had offended them, and to do good to the souls of those that had injured and provoked them; whereas this command of telling the *Sanhedrin*, and impleading offenders before Heathen courts, tends apparently to heighten the bitterness and animosities of mens spirits one against another: and lays religion so open to obloquies, which makes *Paul* so severely reprove the *Christians* at *Corinth*, *for going to Law before Heathen Magistrates*; therefore to say that *Christ* allows their going to law before heathens, and *Paul* to forbid it, were instead of finding a way to end the differences among *Christians*, to make one between *Christ* and *Paul*. *Thirdly*, the thing chiefly aimed at by *Christ*, is not a mans vindication of himself, or recovering losses by injuries received, but the recovering and *gaining the offending brother*; which evidently appears by what our Saviour adds to the using admonition in private, *if he shall hear thee, thou hast gained thy brother*. Now κερδαινειν in the New Testament is used for the conversion and turning others from sin. *That I might gain them that are under the Law*, 1 *Corinth.* 9. 19, 20, &c. so 1 *Pet.* 3. 1. explained by *Jam.* 5. 20. Our Saviour then speaks not to the manner of proceeding as to civil injuries, which call for *restitution*, but to such as call for *reconciliation*. And so the case I conceive is that of *private differences and quarrels* between men, and not *Law suits nor civil causes*: I mean such *differences* as respect *persons* and not *things*, which our Saviour lays down these rules for the ending of. And therefore I cannot but wonder to see some men insist so much on that place against such an Exposition of this *Luke* 12. 14. where Christ saith, *Who made me a judge and a divider among you?* For doth it any ways follow, because Christ would not take upon him to be a temporal judge among the Jews, therefore he should take no course for the ending differences among his disciples, and the taking away all animosities from among them? Nay on the contrary doth not our Saviour very often designedly speak to this very purpose, to root out all bitterness, malice, envy, and rancour from mens spirits, and to perswade them to forgive injuries, even to pray for persecutors, and by any means

1 Cor. 6. 1.——6.

means to be reconciled to their Brethren. Which he makes to be a duty of ſo great neceſſity, that *if a man had brought his gift to the Altar, and remembred his brother had ought againſt him, he bids him leave his gift there, and go, be reconciled to his brother, and then offer up the gift.* We ſee hereby how ſuitable it was to our Saviours Doctrine and deſign, to lay down rules for the ending any differences ariſing among his diſciples; and this being now cleared to be the ſtate of the caſe, it will not be difficult to reſolve what is meant by *telling the Church.* Which I make not to be any *appeal* to a *juridical court*, acting *authoritatively* over the perſons brought before it, but the *third* and *higheſt ſtep of charity* in a man towards a perſon that hath offended him, *viz.* that when neither private admonition, nor before two or three witneſſes would ſerve to reclaim the offender, *then to call a ſelect company together* (which is the natural importance of the word ἐκκλησία) and before them all to lay open the cauſe of the breach and difference between them, and to refer it to their arbitration to compoſe and end it. Which ſenſe of the place, I humbly conceive to have the leaſt force in it, and in every part of it to be moſt genuine and natural, and fully agreeable to the received practice among the Jews: which the author of the book *Muſar* cited by *Druſius* fully acquaints us with, whoſe words I ſhall tranſcribe, as being a plain Paraphraſe on theſe of our Saviour. *Qui arguit ſocium ſuum, debet primum hoc facere placide inter ſe & ipſum ſolum verbis mollibus, Ita ut non pudefaciat eum. Si reſipiſcit bene eſt; ſin, debet eum acritèr arguere & pudefacere inter ſe & ipſum. Si non reſipiſcit, debet adhibere ſocios, ipſumque coram illis pudore afficere; ſi nec hoc modo quicquam proficit, debet eum pudefacere coram multis, ejuſque delictum publicare. Nam certe detegendi ſunt hypocritæ.* That which this Author calls *pudefacere eum coram multis*, is that which our Saviour means when he bids him *tell the Church*, or the *Congregation*, as our old tranſlation renders it. This the Jews called reproving of men כרכים before a multitude, as the *Vulg. Latin* though falſly renders that place *Leviticus* 19. 17. *publice argue eum*, and to this the Apoſtle may allude when he ſpeaks of the ἡ ἐπιτιμία ἡ ἐκ τῶν πολλῶν 2 Corinth. 2. 6. *the cenſure of many*; and

Matth. 5. 23, 24.

Præterit. lib. 1. *p.* 43.

the reproof ἐνώπιον πάντων *before all*, 1 *Tim.* 5. 20. which was to be in matters of publick ſcandal *upon religion*, בְּרָרִים שְׁטוּם as the Jews call them, but in caſe the offender ſhould ſtill παρακούειν *ſlight this overture of reconciliation*, before the company ſelected for hearing the caſe, then ſaith our Saviour, look upon him as an obſtinate refractory creature, and have no more to do with him, then with a *Heathen* and a *Publican*; by which terms the moſt willful obſtinate ſinners were ſet out among the Jews, and by which our Saviour means a mans withdrawing himſelf, as much as in him lies, from all familiar ſociety with ſuch a perſon. And thus ſaith Chriſt, *Whatſoever you bind in earth, ſhall be bound in heaven, and whatſoever you looſe on earth ſhall be looſed in heaven*, v. 18. *that is*, if after all your endeavours of reconciliation, the offender will hearken to no agreement, it is an evidence and token that man's ſin is *bound upon him*, (that is, *ſhall not be pardoned* ſo long as he continues impenitent,) but if he repent of his offence, and you be reconciled, as the offence is removed on earth thereby, ſo the ſin is *looſed in* heaven, that is, *forgiven*. The guilt of ſin that *binds*, it being an obligation to puniſhment; and ſo the pardon of ſin that *looſeth*, as it cancels that obligation. And ſo *Grotius* obſerves, that δεῖν is the ſame with κρατεῖν, and λύειν with ἀφιέναι: what is called *retaining* in one place, is *binding* in another: and what is *looſing* in one place, is *remitting* in the other. But now although I aſſert this to be the true, proper, genuine meaning of this difficult place, yet I deny not but that this place hath influence upon Church-Government; but I ſay the influence it hath, is only by way of Accommodation, and by Analogy deduced from it. According to which theſe things I conceive have foundation in theſe words *Firſt*, *gradual appeals* from the method here laid down by our Saviour. *Secondly*, *Church-cenſures*, and the duty of ſubmitting to Church authority; for although before any Church power was actually ſet up (as when our Saviour ſpake theſe words then there was none,) yet after that Church-Government was fixed and ſet up, it muſt in reaſon be ſuppoſed that all matters of the nature of ſcandals to the Church muſt be decided there. *Thirdly*, *The lawfulneſs of the uſe of excom-*

V. Rainolds Conf. with *Hart. cap.* 2. *div.* 3. *Grot.* in *Matth.* 16.

excommunication in Christian Churches; for if every particular person might withdraw from the society of such a one as continues refractory in his offences, then much more may a whole society, and the officers of it declare such a one to be avoided both in religious and familiar civil society, which is the formal nature of excommunication. Herein we see the wisdom of our Saviour, who in speaking to a particular case, hath laid down such general rules as are of perpetual use in the Church of God for accommodating differences arising therein. Thus have we hitherto cleared that our Saviour hath determined no more of Church Government then what is applyable to a diversity of particular forms, and so hath not by any Law or practice of his own determined the necessity of any one form.

CHAP. VI.

The next thing pleaded for determining the form of Government, is Apoſtolical practice; two things inquired into concerning that, what it was? how far it binds? The Apoſtles inveſted with the power and authority of governing the whole Church of Chriſt by their Commiſſion, John 20. 21. Matth. 28. 18. *What the Apoſtles did in order to Church Government before Pentecoſt,* καθ' ὑποτολὴν, τόπῳ & ἔθνος *explained. How the Apoſtles did divide Provinces; whether* Paul *and* Peter *were confined to the circumciſion and uncircumciſion, and different Churches erected by them in the ſame Cities? What the Apoſtles did in order to ſetling particular Churches? the names and office of Biſhops, Presbyters, Deacons conſidered. Four general conſiderations laid down about the Apoſtles practice. Firſt, It cannot be fully known what it was.* 2. *Great probability they obſerved no one certain form in ſetling Churches; proved from* Epiphanius, Jerome, Ambroſe *or* Hilary. 3. *Their caſe different from ours in regard of the paucity of believers.* 4. *If granted for any form, yet proves not the thing in queſtion. For,* 1. *Offices appointed by them are ceaſed. Widdows, Deaconeſſes aboliſhed.* 2. *Rites and cuſtoms Apoſtolical grown out of uſe.* 1. *Such as were founded upon Apoſtolical precept,* Acts 15. 29. *conſidered.* 2. *Such as were grounded on their practice, Holy kiſs, Love-feaſts, dipping in Baptiſm, community of goods, with ſeveral others.*

§. 1. HAving found nothing, either in our Saviours practice, or in the rules laid down by him (conceived to reſpect Church Government) which determines any neceſſity of one particular form; the only argument remaining which can be conceived of ſufficient ſtrength to found the neceſſity of any one form of Government, is, *the practice of the Apoſtles*, who were by their imployment and commiſſion entruſted with the Government of the Church of God. For our Saviour after his reſurrection taking care for the Planting and Governing of his Church after his Aſcenſion to Glory, doth at two ſeveral

veral times call his Apostles together, and gives now their full *Charter* and Commission to them; *the first*, containing chiefly the power it self conferred upon them, *John* 20. 21. The other the extent of that power, *Matth.* 28. 19. In the former our Saviour tells them, *As the Father had sent him, so did he send them.* Which we must not understand of a parity and equality of power, but in a similitude of the mission: that as Christ before had managed the great affairs of his Church in his own person, so now (having according to the Prophecies made of him at the *end of seventy weeks, made reconciliation for iniquity by his death, and brought in everlasting righteousness by his resurrection*) He dispatcheth abroad his Gospel Heralds to proclaim the *Jubilee* now begun, and the *Act of Indempnity* now past upon all penitent offenders; which is the sense of the other part of their commission, *Whose soever sins ye remit, they are remitted; and whose soever sins ye retain, they are retained*, Joh. 20. 23. *i. e.* as many as upon the Preaching the Gospel by you, shall come in and yield up themselves to the tenders of grace proclaimed therein, shall have their former rebellions pardoned; but such as will still continue obstinate, their former guilt shall still continue to bind them over to deserved punishment. And to the end the *Apostles* might have some evidence of the power thus conferred upon them, *he breaths the Holy Ghost on them, and said, receive ye the Holy Ghost*; which we are not to understand of the extraordinary gifts of the *Holy Ghost*, which were not received till the day of *Pentecost*. Act. 2. 1. but of the *Authoritative power* of Preaching the Gospel, which was now conferred upon them, by this solemn rite of breathing the Holy Ghost on the Apostles. In which sense the *Church of England* understands that expression in the Ordination of Ministers, as it implyes only the conferring thereby an authority for the Preaching of the Gospel, which being conveyed by Ordination, is fitly expressed by the same words which our Saviour used in the conferring the same power upon his Apostles at his sending them forth to be Gospel Preachers.

Dan. 9. 24. with Rom. 4. 25.

Joh. 20. 22.

After this comes the solemn appointed meeting of Christ with his Disciples at the mountain of *Galilee*, (where in probability,

Mat. 28. 16.

bability, besides the eleven, were present the five hundred
1 Cor. 15. 6. brethren at once.) And here Christ more solemnly inaugurates the Apostles in their office, declaring all power to be in his hands, and therefore appoints the Apostles *to preach the*
Mark 16. 15. *Gospel to every creature*, that is, to all men indefinitely, Gentiles
Mat. 18. 19. as well as Jews, which *Matthew* fully expresseth by all *Nations*. Now are the Apostles left as chief Governours of the Church under Christ, and in this last Commission wherein the extent of the Apostles power is more fully expressed, there is nothing mentioned of any order for the Government of the Church under them, nor what course should be taken by the Church after their decease. All that remains then to be inquired into, is what the Apostles practice was, and how far they acted for the determining any one form of Government as necessary for the Church.

§. 2. The Apostles being thus invested in their Authority, we proceed to consider the exercise of this Authority for the Governing the Church. And here we are to consider, that the Apostles did not presently upon their last Commission from Christ go forth abroad in the world to Preach, but were commanded by Christ to go first to *Jerusalem*, and there to expect the coming of the Holy Ghost according to our Saviours own appointment, *Luk.* 24. 49. And therefore what *Mark* adds, *Mark* 16. 20. that after Christ's appearance to them, *the Apostles went abroad and preached every where, working miracles*, must either be understood of what they did only in their way returning from *Galilee* to *Jerusalem*: or else more probably of what they did indefinitely afterwards. For presently after we find them met together at *Jerusalem*,
Luk. 24. 52. whence they came from mount *Olivet* where Christs Ascension was. Here we find them imployed ἐν τῷ ἱερῷ, saith St. *Luke*
Luk. 24. 53. in his Gospel, which we render the *Temple*, but I understand it rather as referring to the action than the place, and is best explained by what *Luke* saith in *Acts* 1. 14. they were προσκαρτεροῦντες τῇ προσευχῇ καὶ τῇ δεήσει, *continuing in prayer and supplication*. And that it cannot be meant of the Tem-
Acts 1. 13. ple, appears by the mention of the ὑπερῷον, *an upper room*, where they continued together. For that it should be meant of any of the ὑπερῶα, about the Temple, is most improbable to conceive,

conceive, becauſe not only thoſe ninety *Cells* about the Temple were deſtined and appointed for the Prieſts in their ſeveral ἐφημερίαι, or times of Miniſtration; and it is moſt unlikely the chief Prieſts and Maſters of the Temple ſhould ſuffer thoſe whom they hated ſo much, to continue ſo near them without any moleſtation or diſturbance. While the Apoſtles continue here, they proceed to the choice of a new Apoſtle inſtead of *Judas*, thereby making it appear how neceſſary that number was to the firſt forming of Churches, when the vacant place muſt be ſupplyed with ſo great ſolemnity. Which office of Apoſtleſhip (which *Judas* once had, and *Matthias* was now choſen into) is call'd by *Peter* κλῆρος διακονίας καὶ ἀποστολῆς. *Acts* 1. 25. which a Learned Interpreter renders *the portion of his Apoſtolacy*, or the *Province* which fell to *Judas* his lot in the diſtribution of them among the Apoſtles, which ſaith he, is call'd ὁ τόπος ὁ ἴδιος, into which *Matthias* did πορευθῆναι *go, and from which* Judas *fell by his ſin.* This Expoſition is very often ſuggeſted by that learned Author (but with all due reverence to his name and memory) I cannot ſee any ſuch evidence either from Scripture or reaſon, to enforce any ſuch Expoſition of either phraſe, yielding us ſufficient ground to forſake the received ſenſe of both of them. For κλῆρος ἀποστολῆς is plainly nothing elſe but that *office of Apoſtleſhip* which belonged to *Judas* without any relation to a Province; and ὁ τόπος ὁ ἴδιος, is that proper place which belonged to *Judas*, as he is call'd υἱὸς ἀπωλείας, *the Son of perdition*, and no other. But the very foundation of this miſtake, is, that the ſeveral *Provinces* into which the Apoſtles were to go for Preaching the Goſpel, were diſtributed among them before they were filled with the *Holy Ghoſt*, which is an *Hypotheſis* will not eaſily be granted by any one that doth but impartially conſider theſe things. That if the *Provinces* were ſo diſtributed among them, it muſt be either before the death of Chriſt or after; and it muſt be before, if *Judas* had a peculiar *Province* aſſigned to him, which this Expoſition neceſſarily implies; but how *Provinces* could be divided among them before they had their Commiſſion given them to Preach to all Nations, is ſomewhat hard to underſtand. It muſt be then immediately after Chriſt had bid them Preach to every creature, that they

V. L'Emper. in Cod. Middoch. c. 4. Sect. 5.

Annot. in loc. Diſſert. 3. c. 4. Schiſm. c. 4. Sect 13. Anſw. to the Cath. c 4. ſ. 2. Schiſm diſarmed. Anſ. c. 3 ſ. 4.

thus distributed the *Provinces* among them; but several things make this very improbable. *First*, The gross mistake of the Apostles concerning the very nature of Christs Kingdom, which we read, *Act.* 1. 16. when they joyntly ask Christ, *Lord wilt thou at this time restore the Kingdom to* Israel? They dreamt still of a temporal Kingdom, according to the common opinion of the Jews; and is it probable they should distribute among themselves the several *Provinces* for Preaching the Gospel, who thought that Christs Kingdom would have been established by other means then going up and down the world? They looked that Christ himself should do it by his own power, *Wilt thou at this time*, &c. and did not think it must be done by their means; much less by their single going into such vast parts of the world, as the twelve divisions of the world would be. *Secondly*, It appears very improbable any such division of *Provinces* should be made then, when they were commanded to stay at *Jerusalem*, and not to stir thence till the promise of the Spirit was fulfilled upon them. *Tarry ye in the City of* Jerusalem *till ye be endued with power from on high*, Luk. 24. 49. *And being assembled together with them, he commanded them not to depart from* Jerusalem, *but wait for the promise of the Father*, Acts 1. 4. Is it likely, when the Apostles were thus straightly charged not to leave *Jerusalem*, till they were endued with the power of the Holy Ghost, should contrive the dispersing themselves abroad all over the world? especially when Christ told them, that it should be after the coming of the Spirit that they should go abroad, *Acts* 1. 8. and that the Spirit should fit them for their work, (*Joh.* 15. 26, 27. *Joh.* 16. 13.) *by teaching them, and testifying of Christ*. *Thirdly*, If such a distribution of *Provinces* had been made so early among the Apostles, how comes it to pass, that after they were endued with the Holy Ghost, they did not every one betake himself to his several *Province*? there could have been then no plea nor excuse made for their stay any longer at *Jerusalem* after the promise of the Spirit was fulfilled upon them. And yet after the persecution raised at *Jerusalem*, when most of the Church were dispersed abroad, we find the Apostles remaining still at *Jerusalem*, Acts 8, 1, 14. Would they have been so long absent from their charge, if

any

any such distribution had been made among themselves? *Fourthly*, the Apostles occasional going to places as they did, argues there was no such set division of *Provinces* among them. The first departure of any of the Apostles from *Jerusalem*, was that of *Peter* and *John*, who were sent by common order of the Apostles to *Samaria*, after they heard that by *Philips* preaching, they had received the word of God. Not the least mention of any peculiar *Province* of theirs which they were sent to. So *Peters* going from *Joppa* to *Cæsarea*, was occasioned by *Cornelius* his sending for him. *Fifthly*, that *Provinces* were not divided, appears, because of so frequent reading of many of the Apostles being together in one place: first the whole twelve at *Jerusalem*, after that *Peter* and *John* together at *Samaria*; about four years after *Pauls* conversion we meet with *James* and *Peter* together at *Jerusalem*; fourteen years after this, we find *James*, *Peter*, and *John* there. Is it any waies probable if all these had their distinct *Provinces* assigned then, they should be so often found together at *Jerulalem*, which certainly must belong but to the Province of one of them. *Sixthly*, It seems evident that they divided not the world into Provinces among them, because it was so long before they thought it to be their duty to preach unto the *Gentiles*; *Peter* must have a vision first before he will go to *Cornelius*; and as yet we see they retained that perswasion, *that it is unlawful for a Jew to keep company, or come unto one that is of another Nation. Acts* 10. 28. Nay more then this, *Peter* is accused for this very action, before the Apostles at *Jerusalem*. *Acts* 11. 2,3. and they laid this as the ground of their quarrel, that he went in to men uncircumcised, and did eat with them: how this is reconcilable with the whole worlds being divided into *Provinces* so early among the Apostles, is not ealie to conceive: unless some of them thought it unlawful to go to their own *Provinces*, which certainly must be of the Gentiles, most of them. *Seventhly*, Another evidence that Provinces were not divided so soon, is, that *Peters province* so much spoken of, *viz.* that of the circumcision, fell not to his share till near twenty years after this time we now speak of, upon the agreement between *Paul* and *Peter* at *Jerusalem*.

Act. 8.14.

Act. 10.5,32.

Gal. 1.18,19. Gal. 2. 1,9.

Act. 10.11.

Gal. 2. 7, 8, 9. Anſw. to *Cathol. Gentl. chap. 4. ſ. 3. numb. 7.* If Provinces had been ſo ſoon divided, how comes the Apoſtleſhip of the circumciſion to be now at laſt attributed to *Peter?* was it not known what *Peters* Province was before this time? and if it was, how come *Paul* and he now to agree about dividing their Provinces? Nay further: *Eighthly*, Theſe Provinces after all this time were not ſo divided, as to exclude one from anothers Province, which is requiſite for a diſtribution of them; much leſs were they ſo at firſt; for as to this diviſion of the Jews and Gentiles between *Paul* and *Peter*, it cannot be underſtood *excluſively of others*; for what work then had the reſt of the Apoſtles to do? neither taking them diſtributively, was *Paul* excluded from preaching to the *Jews*, or *Peter* to the *Gentiles*. We ſee *Paul* was at firſt

Act. 9. 15. choſen *to be a veſſel to bear Chriſts name before the Gentiles and Kings, and the Children of Iſrael.* We ſee hereby he was ap-

Act. 9. 20. 22. pointed an Apoſtle as well to Jews as Gentiles: and accordingly we find him preſently *preaching Chriſt in the Synagogues, and confounding the Jews.* So in all places where *Paul* came,

Act. 13. 5, 14. he firſt preached to the Jews in the Synagogues; and when they would not hearken to him, then he turned to the Gentiles. Neither was this done only before the Apoſtles meeting at Jeruſalem, ſuppoſed to be that ſpoken of *Acts* 15. but after at *Epheſus* we find him entering into the Synagogues there, and preaching to the Jews. So likewiſe he did at

Act. 19. 8. *Corinth*, Acts 18. 4. *And he reaſoned in the Synagogue every Sabbath, and perſwaded the Jews and the Greeks. Paul*

Act. 18. 19. then we ſee thought not himſelf excluded from preaching to the Jews, becauſe they were St. *Peters* Province. Neither did *Peter* think himſelf excluded from the *Gentiles*; he

Act. 10. 28. was the firſt that opened the door of faith to them by preaching to them; in which reſpect it is not altogether improbably

Mat. 16. 19. conceived by ſome, that the power of the Keys was peculiarly given to him. And afterwards in the open Council at *Jeru-*

Acts 15. 7. *ſalem*, he owns himſelf as the Apoſtle to the Gentiles: *God made choice among us, that the Gentiles by my mouth ſhould hear the word of the Goſpel and believe.* This then evidently deſtroys any ſuch early diſtinction of Provinces; when *Peter*, whoſe Province ſeems moſt expreſs in Scripture, *viz. the circumciſion*, yet we find him acting as an Apoſtle to the

Gentiles

Gentiles too. I deny not but at the meeting of *Paul* and *Peter* at *Jeruſalem*, when they obſerved how God did bleſs the one moſt in the circumciſion, the other in the uncircumciſion, there was an agreement between them for the one to lay out his pains chiefly upon the *Jews*, and the other upon the *Gentiles*; and in probability where they met in any City, the one gathered a *Church* of the *Jews*, and the other of the *Gentiles*; but this makes no ſuch diſtinction of Provinces, as to exclude the one from the others charge; and further this agreement between *Paul* and *Peter* then after both had preached ſo many years, makes it fully clear that the pretended diviſion of Provinces ſo early among the Apoſtles, is only the wind-egge of a working fancy, that wants a ſhell of reaſon to cover it. As for that diviſion of Provinces mentioned in Eccleſiaſtical writers, though as to ſome few they generally agree; as that *Thomas* went to *Parthia*, *Andrew* went to *Scythia*, *John* to the leſſer *Aſia*, *&c.* yet as to the moſt they are at a loſs where to find their Provinces, and contradict one another in reference to them; and many of them ſeem to have their firſt original from the fables of *Doratheus*, *Nicephorus*, and ſuch writers. *Euſeb. lib. 3. cap. 1.*

§. 3. Having ſhewed that the Apoſtles obſerved no ſet order for diſtributing *Provinces*, we come to ſhew what courſe they took for the ſetling of Churches in the places they went to. In the clearing of which, nothing is more neceſſary then to free our judgments of thoſe prejudices and prepoſſeſſions which the practice either of the former ages of the Church, or our own have cauſed within us. For it is eaſie to obſerve that nothing hath been a more fruitful mother of miſtakes, and errours then the looking upon the practice of the primitive Church through the glaſs of our own cuſtoms. Eſpecially when under the ſame name, (as it is very often ſeen) ſomething far different from what was primarily intended by the uſe of the word, is ſet forth to us. It were no difficult task to multiply examples in this kind; wherein men meeting with the ſame names, do apprehend the ſame things by them, which they now through cuſtom ſignifie, without taking notice of any alteration in the things themſelves ſignified by thoſe names. Thus ſince the name *Miſſa* was appropriated by

the *Papiſts* to that which they call the ſacrifice of the Altar, wherever they meet among ancient writers with that name, they preſently conceive the ſame thing was underſtood by it then. Whereas it was then only taken for the publick ſervice of the Church, ſo called from the diſmiſſion of the people after it, with an *Ite, Miſſa eſt*; and from the different forms of Chriſtians they had two ſeveral ſervices, the one called *Miſſa Catechumenorum*, becauſe at the end of that the *Catechumeni* were diſmiſſed out of the Aſſembly; the other *Miſſa fidelium*, at which they received the Lord's Supper; which afterwards (the former diſcipline of the Church decaying) ingroſſed the name *Miſſa* to its ſelf; and when the ſacrifice of the Altar came up among the Papiſts, it was appropriated to that; For though they innovated things never ſo much, yet it hath been alwaies the Policy of that Church not to innovate names, that ſo the incautelous might be better deceived with a pretence of antiquity; and thus under the antiently ſimple name of *Miſſa*, lies at this day couched a *Maſs* of errours. So after the word λειτουργεῖν was applyed by them to that ſacrifice, wherever they meet that word in Scripture, they interpret it in that ſenſe; and hence when we only read of the teachers at *Antioch*, λειτουργούντων αὐτῶν, no other rendering of the words will be taken but *Sacrificantibus illis*, although it be not only contrary to the ſenſe of the word in the New Teſtament, but to the Expoſition of *Chryſoſtome*, *Theophylact*, and *Oecumenius*, who expound it by κηρυττόντων. Thus when publick Liturgies were grown into uſe in the Church after the decay of the gifts of the firſt primitive Church, *Euſebius* his bare calling St. *James* Λειτουργός (though he relates only to his *Miniſtry* in the Church of *Jeruſalem*) is enough to entitle him Father to a *Liturgy* which ſoon crept forth under his name: by an argument much of the ſame ſtrength with that which ſome have brought for reading Homilies, becauſe it is ſaid of St. *Paul*, *Acts* 20. 11. ἐμακήσας ἄχρις αὐγῆς. Of the ſame ſtamp is *Bellarmines* argument for invocation of Saints, becauſe of *Jacobs* ſaying *invocetur ſuper eos nomen meum*. But we need not go far for examples of this kind. The buſineſs we are upon, will acquaint us with ſome of them. As the argument for popular election of Paſtors from the Grammatical ſenſe of the

V. Picherellum de Miſſa, cap. 1. Caſaub. Exercit. 16. ſect. 58.

Act. 13. 2.

the word χειροτονία, for Lay elders from the name πρεσβύτεροι, and modern Episcopacy from the use of the word ἐπισκοπὴ in Scriptures. Names and things must then be accurately distinguished, and the sense of the names must neither be fetched from the custome now used, nor from the Etymologie of the word, but from the undoubted practice of Apostolical times, if that can be made appear what it was. Which will be best done if we can once find out what course and order the Apostles took in the forming and modelling the Churches by them planted.

§. 4. That which we lay then as a foundation, whereby to clear what Apostolical practice was, is, that the Apostles in the forming Churches did observe the customs of the Jewish Synagogue. *Totum regimen Ecclesiarum Christi conformatum fuit ad Synagogarum exemplar*, saith *Grotius* truly. *Præsides & curatores Ecclesiarum ad instar Presbyterorum Synagogæ Judaicæ constitutos fuisse constat* as *Salmasius* often affirms. In which sense we understand that famous speech of the Author of the Commentary on St. *Pauls* Epistles, which goes under the name of *Ambrose*, but now judged by most to be done by *Hilary* a Deacon of the Church of *Rome*, under which name St. *Augustine* quotes some words on the fifth to the *Romans*, which are found still in those Commentaries. *Nam apud omnes utique gentes honorabilis est senectus; unde & Synagoga & postea Ecclesia Seniores habuit, sine quorum consilio nihil agebatur in Ecclesiâ*, which words are not to be understood of a distinct sort of Presbyters from such as were imployed in Preaching the Word, but of such Presbyters as were the common Council of the Church, for the moderating and ruling the affairs of it which the Church of Christ had constituted among them, as the Jewish Synagogue had before. And from hence we observe that the *Ebionites*, who blended Judaism and Christianity together (whence *Jerom* saith of them, *Dum volunt & Judæi esse & Christiani, nec Judæi sunt nec Christiani*, they made a *Linsey wolsey* Religion, which was neither *Judaism* nor *Christianity*) These, as *Epiphanius* tells us, called their publick meeting place συναγωγὴ and the Pastors of their Churches Ἀρχισυναγώγους. Thereby implying the resemblance and Analogy between the form of Government

V. Bezam in Acts 13. 15. in Act. 11. 30.— 6. 3.— 14. 12.— 20. 28.

Apparat. ad lib. de Prim. Papæ. p. 151. 220.

In 1 Tim. 5. 1. *v. e. i-am* in 1 Cor. 12. 28.

Aug. lib. 4. *ad Bonif. cap.* 4.

Ep. ad Aug.

C. Ebion.

Government in both of them. But this will beſt be made appear by comparing them both together. For which we are to take notice how much our Saviour in the New Teſtament did delight to take up the received practices among the Jews only, with ſuch alterations of them as were ſuitable to the nature and doctrine of Chriſtianity; as hath been abundantly manifeſted by many learned men, about the rites of the Lords Supper, taken from the *poſt-cœnium* among the Jews; the uſe of Baptiſm, from the Baptiſms uſed in initiating Proſelytes; Excommunication from their putting out of the Synagogue. As to which things, it may be obſerved that thoſe rites which our Saviour tranſplanted into the Goſpel ſoil, were not ſuch as were originally founded on *Moſes* his Law, but were introduced by a confederate Diſcipline among themſelves. And thus it was in reference to the Government of the Synagogues among them; for although the reaſon of erecting them was grounded on a command in the Levitical Law, *Levit.* 23. 3. where holy Convocations are required upon the Sabbath days; yet the building of Synagogues in the Land, was not, as far as we can find, till a great while after. For although *Moſes* require the duty of aſſembling, yet he preſcribes no orders for the place of meeting, nor for the manner of ſpending of thoſe days in Gods ſervice, nor for the perſons who were to ſuper-intend the publick worſhip performed at that time. Theſe being duties of a moral nature, are left more undetermined by *Moſes* his Law, which is moſt punctual in the Ceremonial part of Divine ſervice. And therefore even then when God did determine the poſitives of worſhip, we ſee how much he left the performance of morals to the wiſdom and diſcretion of Gods people, to order them in a way agreeable to the mind and will of God. We ſhall not here diſcourſe of the more elder cuſtoms and obſervations of the Synagogues, but take the draught of them by the beſt light we can about our Saviours time, when the Apoſtles copyed out the Government of Chriſtian Churches by them.

V. Scaliger. de Emend. temp. l. 6. & Lud. Capelli vind. c. Fuxtorfii diſſ. Selden. com. in Eutychium. p. 25.

§. 5. About the time of Chriſt we find Synagogues in very great requeſt among the Jews; God ſo diſpoſing it, that the moral part of his ſervice ſhould be more frequented now the Ceremonial

monial was expiring; and by thoſe places ſo erected, it might be more facile and eaſie for the Apoſtles to diſperſe the Goſpel by Preaching it in thoſe places, to which it was the cuſtome for the people to reſort. And as *Paul* at *Athens* obſerving the Altar inſcribed Ἀγνώστῳ Θεῷ, *To the unknown God*, takes his text from thence, and begins to Preach God and Chriſt to them; ſo the Apoſtles in every Synagogue meet with a copy of the Law, from whence they might better take their riſe to diſcover him *who was the end of the Law for righteouſneſs to all that believe. For* Moſes *of old time hath in every City them that Preach him, being read in the Synagogues every Sabbath day.* It was their conſtant cuſtome then every Sabbath day to have the Law publickly read; for which every Synagogue was furniſhed with a moſt exact copy; which was looked upon as the great treaſure and glory of their Synagogue; in the copying out of which, the greateſt care and diligence was uſed. In their Synagogues they read only the Law and the Prophets, the כתובים or *Hagiographa* were not ordinarily read in publick; the Law for the more convenient reading it, was diſtributed into fifty four *Sections*, which they call'd פרשיות every week one Section being read (joyning twice two leſſer Sections together) the whole Law was read through once every year.

Acts 17. 23.

Acts 15. 21.

V. Buxtorf. Synag. Jud. c. 9. p. 216.

V. Lud. de Dieu in Act. 13. 15.

But here I cannot ſay that the Jews were abſolutely bound up to read the ſeveral Sections appointed for the days, as it is commonly thought (from which *Paraſchæ* and the times prefixed of reading them, *Cloppenburgh* fetcheth a new interpretation of the Σάββατον δευτεροπρῶτον, which is, that the firſt *Sabbath* was that of the civil year which began with the Section בראשית upon the twenty fourth of the month *Tiſri*; but the *ſecond Sabbath after the firſt*, was the firſt Sabbath of the ſacred year, which began with the Section החרש upon the Calends of *Niſan*) but I do not ſee any ſuch evidence of ſo exact and curious a diviſion of the ſeveral Sections ſo long ſince as the time of our Saviour is, which appears by our Saviour's reading in the *Synagogue* at *Nazareth*, where it ſeems he read after the *Synagogue* cuſtome, as one of the ſeven call'd out by the חזן to read before the people, but we find no Section aſſigned him by him that delivered the

V. Clopenb. tract. de ſabb. deuteroproto & Lud. Capelli ep. ad Clopp. p. 74 cum. reſp. Clopp. p. 143.

Luke 4. 17.

book to him (the office of the מגן) but it is ſaid of him ἀναπτύξας τὸ βιβλίον εὗρε τὸν τόπον, *when he had unfolded the book he found out that place in* Iſaiah. So that then it ſeems there was no ſuch preciſe obſervation of the ſeveral Sections to be read. And our Saviour's reading the book of the Prophets in the Synagogue, puts us in mind of the הפטורות the Sections of the Prophets anſwerable to thoſe of the Law; which *Elias Levita* tells us came up after the time of *Antiochus Epiphanes*, who ſo ſeverely prohibited the Jews the reading of their Law, but from that time hath been obſerved ever ſince: of which we read in *Paul*'s Sermon at *Antioch* in *Piſidia* ſpeaking of Chriſt; *For they that dwell at* Jeruſalem *and their Rulers, becauſe they knew him not, nor the voices of the Prophets which are read every Sabbath day. Benjamin Tudelenſis* in his *Itinerary*, tells us, that the ſame cuſtom was not obſerved among all the Jews for the reading the Sections of the Law. For in *Mitſraim* (which he there takes not for *Egypt* it ſelf, as it is commonly taken, but for *Grand Cairo*) where there were near two thouſand Jews, there were two *Synagogues*, the one of *Syrian*, the other of *Babylonian Jews*. The latter read over every week an entire Section of the Law (as the Jews in *Spain* in his time did) and ſo finiſhed the Law in a years ſpace. The *Syrian* Jews, or thoſe that were born in *Judea*, divided every Section into three parts, and read not the Law through, but in three years time. Theſe Synagogues were very much multiplyed, both in *Jeruſalem* and elſewhere, about the time of our Saviour's being in the world. When the common tradition of the Jews is, that in *Jeruſalem* its ſelf, there were Four hundred and eighty one Synagogues, which they ridiculouſly obſerved by their *Gematry*, from the word מלאתי uſed *Iſa.* 1. 20. whoſe numeral letters being put together, amount to that number; but a clearer evidence of the multitude of *Synagogues* is our *Saviour's* ſo often appearing in them; and ſo likewiſe the Apoſtles when they went abroad to Preach the Goſpel, we find in moſt places that they firſt entred into the Synagogues which were by the liberty given to the Jews, allowed them in all the Cities where they inhabited by the *Roman* Governours. And ſo in all their diſperſions both in *Babylon*, *Egypt*, and the *Weſtern*

In Thisbi v. פטר.

Act. 13. 27.

Itiner. p. 114. ed. L'Emper.

V. L'Emper. in Not. p. 220.

V. Serrarium Rabb. prior. cap. 82.

Matth. 4. 9.
Mark 1. 23.
Luke 4. 17.
John 6. 59.
18. 20.
Acts 13. 14.
14. 1.
17. 10.
18. 4.
19 8.

Western parts, we read of the Synagogues which the Jews enjoyed, and the liberty they had therein for exercise of their own way of worship and discipline. And therefore even at *Rome* we read of their *Proseuchæ*,

Ede ubi consistis; in quâ te quæro proseucha? *Juvenal. sat. 3.*

Which by the old Scholiast upon *Juvenal* is said to be the place *ad quem convenire solebant mendici ad stipem petendam*, of which *Turnebus* gives this account, *Proseuchæ fana Judæorum erant, ut Alexandriæ & Romæ, alibique, sic nomen adeptæ quod oracula quædam essent, vel (ut Christiani loquuntur) oratoria. Cum autem ad Eleemosynam Judæi dandam essent propensissimi, eò ceu mendicorum conventus coibat; sed & Judæi & ipsi mendici, invisi erant omnibus, & mendici ea loca quod domicilia non haberent, diversores interdum occupabant, in iisque cubabant, ideoque Proseuches nomen in contemptum abierat.* *Adversl. l. 1. cap. 19.* *Scaliger* thinks that the *Proseucha* differed from the Synagogue; for which he is checked by *Grotius* from that place of *Philo*, where he speaks of *Augustus* giving the Jews the liberty of their *Proseuchæ* for the learning the religion of their country, τὰ γὰρ κατὰ πόλεις σεμνυκτήρια τί ἕτερόν ἐστιν ἢ διδασκαλεῖα φρονήσεως καὶ ἀνδρείας καὶ σωφροσύνης καὶ δικαιοσύνης, ἐυσεβείας τε καὶ ὁσιότητος καὶ συμπάσης ἀρετῆς, which in brief is that the *Proseuchæ were the Schools of all religion and learning*, by which words he seems to confound not only the *Synagogue* and the *Proseucha* together, but the Synagogue and the בית מדרש too, which was their *Divinity School*, whither they used to repair after dinner upon Sabbath days, and where the Questions about their Law were discussed; but though I cannot say these were always distinguished, yet in some places they were. Such seems the *School of Tyrannus* to be, where *Paul* taught, having withdrawn himself from the Synagogue. And so sometimes the *Proseuchæ* were distinguished from *the Synagogues*, as *Grotius* himself elsewhere acknowledgeth, *viz.* either where there was not a competent number of Jews (for ten Students in the Law were required to make a Synagogue) or else where the Magistrate would not permit the use of them, in which case the *Not. in Frag. Græca p. 25. in Mat. 4. 23. Leg. ad Caium.* *Acts 19. 9.* *Annot. in Acts 16. 13.*

poor Jews were fain to content themſelves with a place remote from the City, either by ſome river, as that προσευχὴ, mentioned *Acts* 16.13. or by ſome grove or wood, whence that of *Juvenal.*

Nunc ſacri fontis nemus, & delubra locantur
Judæis, quorum cophinus fœnumque ſupellex.

De Idol. l. 2. cap. 80. p. 715. Which fountain as *Voſſius* obſerves was *extra portam Capenam in luco quem medium irrigabat*; and from hence *Scaliger* gathers *Judæos in nemoribus proſeuchas collocaſſe.* Thus it appears now what priviledges the Jews generally enjoyed in their diſperſion for their Synagogues and publick places to meet, pray, and diſcourſe in.

In Fragm. Gr. p. 25.

§. 6. We now come to inquire after what manner the government of the Synagogue was modell'd. Wherein we muſt firſt inquire whether there were any peculiar Government belonging to the Synagogue, diſtinct from the civil Conſiſtories which were in uſe among them. This is often left untouched by learned men in their diſcourſe of Synagogues; ſome indeed make the leaſt Conſiſtory or *Sanhedrin* in uſe among the Jews, *viz.* the *Triumvirate*, to be the rulers of the Synagogue, and part of the *ten* who were to be where ever there was a Synagogue. But although I cannot ſee ſufficient evidence for a great Eccleſiaſtical *Sanhedrin* founded by *Moſes*, anſwering to the great *Sanhedrin* of *LXXI.* yet I conceive it probable, that when Synagogues were ſo multiplyed both at home and abroad, there was a diſtinct *Bench* of officers who did particularly belong to the Synagogue to ſuperintend the affairs of that, which I ſhall now endeavour to make out by theſe following reaſons. *Firſt*, becauſe the *Ten* required for the Synagogue are ſet down by Jewiſh writers as diſtinct from the number required for the civil Conſiſtory. For in the *Gemara Babylonia* (cited by *Selden*) the account given why there muſt be 120 inhabitants where there was to be a *Sanhedrin*, of twenty three, is this, *There muſt be twenty three to make up the* Sanhedrin, *and three orders of twenty three*, (who ſat in a hemicycle under the Sanhedrin in the ſame form as they

D. Lightfoot Horæ Hebr. in Matth. 2.23. *p. 70.*

De Syned. l. 2. c. 5 ſ 4.

ſat)

ſat) *and beſides theſe the ten who were to be imployed wholly in the affairs of the Synagogue* (for the Gloſs there explains them to be עשרה בני אדם כטילין מכל מלאכה *decem filii hominũ vacantes ab omni opere ut parati ſint* לבית הכנסת שחרית וערבית *domui Synagogæ manè & veſperi*, and there adds, that every City, though it be wall'd, where ten ſuch perſons are wanting, is looked on only as a village, and thought unworthy to have a *Sanhedrin* of twenty three,) So that by this it appears the number of the *Decemvirate* for the Synagogue, was diſtinct from the perſons imployed in the civil courts. To the ſame purpoſe *Maimonides* gives the account of the number of 120; who likewiſe requires the ten for the Synagogue as a diſtinct and peculiar number. *Atque hi erant viri qui vacabant tantum rebus divinis, nimirum lectioni legis & ſeſſioni in Synagogis*, as Mr. *Selden* quotes it from another place in him; Whereby it is evident that thoſe who were imployed in the Synagogue, did make a peculiar bench and Conſiſtory diſtinct from the civil judicature of the place. And therefore the Ἀρχισυνάγωγοι are not the civil rulers, but ſome peculiar officers belonging to the ſervice of the Synagogue. And thence when all civil power and government was taken from the Jews, yet they retained their *Archiſynagogues* ſtill. Whence we read of *Archiſynagogues, Patriarches and Presbyters* among the Jews in the times of *Arcadius* and *Honorius*, when all civil power and juriſdiction was taken from them. The *Second* reaſon is from the peculiar ordination of thoſe who were the rulers of the Synagogues. This I know is denyed by many, becauſe, ſay they, ordination was proper only to the *Presbyters* among the Jews, who were thereby made capable of being members of the *Sanhedrin*, thence it was called סמיכה וקנים *ordinatio presbyterorum*, i. e. *impoſitio manuum quâ presbyteri fiunt*. This ordination was I grant primarily uſed in order to the making men members of the great *Sanhedrin*, and therefore the Jews derive the cuſtome of ordaining them, from *Moſes* his firſt conſtituting the *LXX* elders, which ſay they, was done by impoſition of hands: which was ſeconded by the example of *Moſes* laying his hands on *Joſhua*, from whence the cuſtome was continued down among them till the time of *Adrian*, who ſeverely

In Jud. tit. Sanhed. c. 1. ſect. 5.

Ad Miſn. tit. Sanhed. c. 1. ſect. 6.

Cod. Theod. l. 16. tit. 8. l. 13. & 14.

Numb. 13. Num. 37. 18.

prohibited it by an Edict, that whoſoever ſhould ordain another ſhould forfeit his life, and ſo every one that was ſo ordained. Thence the Jews tell us that *R. Jehuda Ben Baba* is called הַסַּמְכָּן *the Ordainer*, becauſe in the time of that Edict he ordained five *Presbyters*, without which they had wholly loſt their ſucceſſion of Presbyters for Courts of Judicature. But though it be thus evident that their ordination was chiefly uſed in order to the fitting men to be members of the *Sanhedrin*, yet that beſides this there was a peculiar ordination for perſons not imployed in civil matters, will appear; *Firſt*, from the different *forms* of their ordination; ſome were general, without any reſtriction or limitation at all; which power was conferred in words to this purpoſe; *Ordinatus jam ſis, & ſit tibi facultas judicandi etiam cauſas pœnales.* He that was thus ordained, was fit for any court of Judicature; but there was another form of ordination which was more particular and reſtrained; a form limiting the general power, either to pecuniary caſes, or criminal, or only to the power of binding and looſing, without any judiciary power at all. Now thoſe that were thus ordained, were the Jewiſh Caſuiſts, reſolving men only *in foro conſcientiæ* of the lawfulneſs and unlawfulneſs of things propounded to them. This they called רשות להורות באיסר והתר *Facultas decernendi circa ligatum & ſolutum*, that is, *a power of decreeing what was lawful or unlawful.* For in that ſenſe binding and looſing is uſed by the Jewiſh writers. In which ſenſe they tell us commonly that one School, as that of *Hillel* אוסר *binds*, that is, judgeth a thing unlawful, another מיתר looſeth (as that of *Schammai*) that is, judgeth it lawful and free to be done. Now the perſons thus ordained with this power only, were thereby no members of any civil Court of Judicature, nor thereby made capable of it; it appears then that this ordination was peculiar to a particular function, which exactly anſwers to the Miniſterial office under the Goſpel. And that thoſe who were thus ordained, either might not, or did not exerciſe that office of theirs in the Synagogue, I can ſee no reaſon; I am ſure it was moſt ſuitable to that place, or at leaſt to the בית מדרש where there was ſuch a one diſtinct from the Synagogue.

Gem. Babyl. ad tit. Sanhed. c. 1. f. 13. 14. Scaliger Elench. Triber. c. 10. Tzemach. David. p. 1. mil. 4. An. 880.

Selden. ad Eutych. p. 19. de Syned. l. 2. cap. 7. f. 2.

V. Lightfoot Horæ Hebr. in Matth. 16. 19.

But

But a clearer evidence of the particular ordination of those imployed in the Synagogue, we have from *Benjamin* in his *Itinerary*; for granting his palpable mistakes about the civil power of the Jews in his time (which was about the middle of the twelfth Century) sufficiently discovered by the Learned *L' Empereur*, yet as to the ordaining of persons for the several Synagogues, we have no ground to suspect his Testimony, which is very plain and evident. For speaking of *R. Daniel Ben Hasdai*, who was the ראש הגלה or the αἰχμαλωτάρχης, *the Head of the Captivity* then residing at *Bagdad*: He tells us the Synagogues of *Babylon*, *Persia*, *Choresan*, *Sheba*, *Mesopotamia* and many other places, derived power from him על כל קהל וקהל רבותן *of ordaining a Rabbi and Preacher over every Synagogue*, which he tells us was done *by laying on his hands upon them.* These two, the *Rabbi* and the חזן he makes to be the fixed officers of every Synagogue, and the office of the latter lay chiefly in expounding the Scriptures. The like he hath of *R. Nathaniel* the ראש הישיבה in *Egypt*, to whose office it belonged to ordain in all the Synagogues in *Egypt* רבנים והזנין *the Rabbies and Lecturers of the Synagogue*: by which we see clearly, that there was a peculiar ordination for the Ministers belonging to the Synagogue. Thence *Scaliger* wonders how Christ at twelve years old should be permitted to sit among the Doctors asking Questions, when he was no ordained *Rabbi* to whom that place belonged. But although ἐν μέσῳ τῶν διδασκάλων may possibly mean no more then sitting on one of the lower seats belonging to those who were yet in their קטנות or *Minority*, where they sat at the feet of their Teachers, which was not within the Temple its self, but as *Aarias Montanus* thinks, was at the East-gate of the Temple where the Doctors sat; yet this is evident by *Scaliger*, that he looked on an ordination for that end, as necessary to those who sat in the Synagogues, as the Doctors there: which is likewise affirmed by *Grotius*, who tells us, that among the Jews, not only all publick civil offices were conferr'd by imposition of hands, *Sed & in Archisynagogis & senioribus Synagogæ, idem observatum, unde mos* χειροτονίας *ad Christianos transiit*: *but likewise all the Rulers and Elders of the Synagogue were so ordained, from whence*

Dissertati. ad Lectorem & in not. 193. &c.

P. 73. *ed. L' Emper. Heb. Lat.*

P. 115.

Elench. Triber c. 10.

Luke 2. 46.

In Appar. de Templo.

Annot. in Evang. p 39.

whence the cuſtome was tranſlated into Chriſtianity (of which afterwards.) Thus now we have cleared that there was a peculiar Government belonging to the Synagogue, diſtinct from the civil judicatures.

§. 7. Having thus far proceeded in clearing that there was a peculiar form of Government in the Synagogue; we now inquire what that was, and by what Law and rule it was obſerved. The Government of the Synagogue, either relates to the publick ſervice of God in it, or the publick rule of it as a ſociety. As for the ſervice of God to be performed in it, as there were many parts of it, ſo there were many officers peculiarly appointed for it. The main part of publick ſervice lay in the reading and expounding the Scriptures: For both, the known place of *Philo* will give us light for underſtanding them. Εἰς ἱερὰς ἀφικνέμενοι τόπους οἱ κάλλιστοι συναγωγαὶ καθ' ἡλικίας ἐν τάξεσιν ὑπὸ πρεσβυτέροις νέοι καθίζουσι μετὰ κόσμου πρεπόντως, ἕτοιμοι ἀκροᾶσθαι· εἶτ' ὁ μὲν τὰς βίβλους ἀναγινώσκει λαβὼν ἕτερος δὲ τῶν ἐμπειροτάτων, ὅσα μὴ γνώριμα, παρεμβὰς ἀναγινώσκει. *Coming to their holy places call'd Synagogues, they ſit down in convenient order, according to their ſeveral forms, ready to hear, the young under the elder; then one taketh the book and readeth, another of thoſe beſt ſkill'd comes after and expounds it.* For ſo *Grotius* reads it ἀναδιδάσκει for ἀναγινώσκει, out of *Euſebius*. We ſee two ſeveral offices here, the one of the *Reader* in the Synagogue, the other of him that did interpret what was read. Great difference I find among learned men about the חזן of the Synagogue: ſome by him underſtand the ἀναγνώστης, call'd ſometimes in Scripture ὑπηρέτης, and ſo make him the under-Reader in the Synagogue; and hence I ſuppoſe it is (and not from looking to the poor, which was the office of the *Parnaſim*) that the office of *Deacons* in the Primitive Church, is ſuppoſed to be anſwerable to the חזנים among the Jews; for the *Deacons* office in the Church, was the publick reading of the Scriptures; And hence *Epiphanius* parallels the ἀρχισυναγώγους, πρεσβυτέρους and Ἀζανίτας among the Jews, to the Biſhop, Presbyters and Deacons among the Chriſtians. But others make the office of the חזן to be of a higher nature, not to be taken for the Reader himſelf, (for that was no ſet office, but upon every Sabbath day ſeven were call'd

Lib. omnem probum liberum eſſe.

In Luc. 4. 16.

Luke 4. 20.

6. *Ebionites.*

call'd out to do that work, as *Buxtorf* tells us; firſt a Prieſt, then a Levite, and after, any five of the people; and theſe had every one their ſet parts in every Section to read, which are ſtill marked by the numbers in ſome Bibles.) But the חזן was he that did call out every one of theſe in their order to read, and did obſerve their reading, whether they did it exactly or no. So *Buxtorf* ſpeaking of the חזן *Hic maximè oratione ſive precibus & cantu Eccleſiæ præibat, præerat lectioni legali, docens quod & quomodo legendum, & ſimilibus quæ ad ſacra pertinebant.* So that according to him the חזן was the Superintendent of all the publick ſervice, thence others make him parallel to him they call'd שליח ציבור *the Angel of the Church*, *Legatus Eccleſiæ L'Empereur* renders it, as though the name were impoſed on him as acting in the name of the Church, which could only be in offering up publick prayers; but he was *Angelus Dei*, as he was *inſpector Eccleſiæ*, becauſe the Angels are ſuppoſed to be more immediately preſent in, and Superviſors over the publick place, and duties of worſhip; ſee 1 *Cor.* 11. 10. this חזן is by *L'Empereur* often rendred *Concionator Synagogæ*, as though it belonged to him to expound the meaning of what was read in the Synagogue, but he that did that, was call'd דרשן from דרש *to inquire*; thence συζητητὴς τῦ κόσμυ τέτυ *the inquirer, or diſputer of this world*, 1 Cor. 1. 20. thence *R. Moſes Haddarſan*; but it is in vain to ſeek for ſeveral offices from ſeveral names; nay it ſeems not evident, that there was any ſet officers in the Jewiſh Church for expounding Scriptures in all Synagogues, or at leaſt not ſo fixed, but that any one that enjoyed any repute for Religion or knowledge in the Law, was allowed a free liberty of ſpeaking for the inſtruction of the people; as we ſee in Chriſt and his Apoſtles; *for the Rulers of the Synagogue ſent to* Paul *and* Barnabas *after the reading of the Law, that if they had any word of exhortation, they ſhould ſpeak on.* From hence it is evident, there were more then one who had rule over the Synagogues, they being call'd rulers here. It ſeems very probable, that in every City where there were *ten wiſe men*, (as there were ſuppoſed to be in every place, where there was a Synagogue) that they did all joyntly concur for the ruling the affairs of the Synagogue. But what the diſtinct offices

Synag. Jud. lib. 11.

Lex Rabb. ad verb.

In Benjam. not p. 149.

Act. 13. 15.

of all these were; it is hard to make out, but all joyning together seem to make the *Consistory*, or *Bench* as some call it, which did unanimously moderate the affairs of the Synagogue, whose manner of sitting in the Synagogues, is thus described by Mr. *Thorndike* out of *Maimonides*, whose words are these: *How sit the people in the Synagogue? The Elders sit with their faces towards the people, and their backs towards the* Hecall (the place where they lay the Copy of the Law) *and all the people sit rank before rank, the face of every rank towards the back of the rank before it, so the faces of all the people are towards the Sanctuary, and towards the Elders, and towards the Ark; and when the Minister of the Synagogue standeth up to prayer, he standeth on the ground before the Ark with his face to the Sanctuary, as the rest of the people.* Several things are observable to our purpose in this Testimony of *Maimonides*: First, that there were so many Elders in the Synagogue, as to make a Bench or Consistory, and therefore had a place by themselves, as the Governours of the Synagogue. And the truth is, after their dispersion we shall find little Government among them, but what was in their Synagogues, unless it was where they had liberty for erecting Schools of learning. Besides this Colledge of Presbyters, we here see the publick Minister of the Synagogue, the חזן הכנסת *i. e. Episcopus congregationis, the Superintendent over the Congregation*, whose peculiar office it was to pray for, and to bless the people. We are here further to take notice of the form of their sitting in the Synagogue; the Presbyters sat together upon a bench by themselves, with their faces towards the people, which was in an *Hemicycle*, the form wherein all the Courts of Judicature among them sat; which is fully described by Mr. *Selden* and Mr. *Thorndike* in the places above cited. This was afterwards the form wherein the Bishop and Presbyters used to sit in the Primitive Church, as the last named learned Author largely observes and proves. Besides this Colledge of Presbyters, there seems to be one particularly call'd the *Ruler of the Synagogue*, ראש הקהל in the Scriptures ἀρχισυναγωγος or ἄρχων τῆς συναγωγῆς, which in the importance of the New Testament Greek (following that of the *Alexandrian Jews* in the version of the Old Testament) implyes no more then a primacy of order

Service of God at *Rel. Ass.* c. 3 p. 56.

De Synod. l. 2. c. 6 §. 2. Thorndike *Rel. Assem.* cap. 3.

Mark. 5. 35. Luk. 8. 49. 13. 14.

order in him above the reſt he was joyned with. And thence ſometimes we read of them in the Plural number, οἱ ἀρχισυνάγωγοι, *Acts* 13. 15. implying thereby an equality of power in many; but by reaſon of the neceſſary primacy of one in order above the reſt, the name may be appropriated to the Preſident of the College. *Acts* 18. 8, 17. we read of two, *viz. Criſpus* and *Soſthenes*, and either of them is call'd Ἀρχισυνάγωγος, which could not be, did the name import any peculiar power of Juriſdiction lodged in one excluſive of the reſt; unleſs we make them to be of two Synagogues, which we have no evidence at all for; I confeſs *Beza* his argument from ἷς τῶν ἀρχισυναγώγων, *Mark* 5. 22. for a multitude of thoſe ſo called in the ſame Synagogue, is of no great force where we may probably ſuppoſe there were many Synagogues. But where there is no evidence of more then one in a place, and we find the name attributed to more then one, we have ground to think that there is nothing of power or Juriſdiction in that one, which is not common to more beſides himſelf. But granting ſome peculiarity of honour belonging to one above the reſt in a Synagogue, which in ſome places, I ſee no great reaſon to deny, yet that implyes not any power over and above the Bench of which he was a Member, though the firſt in order; Much as the נשיא the *Prince* of the *Sanhedrin*, whoſe place imported no power peculiar to himſelf, but only a Priority of dignity in himſelf above his fellow Senators: as the *Princeps Senatûs* in the *Roman* Republick anſwering to the אבבית רין in the great *Sanhedrin*, who was next to the *Naſi*, as the *Princeps Senatûs* to the Conſuls, which was only a honorary dignity and nothing elſe: Under which diſguiſe that Politick Prince *Auguſtus* raviſhed the *Roman* Commonwealth of its former liberty. The name ἀρχισυνάγωγος, may I ſuppoſe in propriety of ſpeech be rendred in Latin *Magiſter ordinis*, he being by his office *Præſul*, a name not originally importing any power, but only dignity; Thoſe whom the Greeks call ἀρχιερεῖς, the Latins render *Magiſtros ſui ordinis*, and ſo *Suetonius* interprets ἀρχιερωσύνην by *Magiſterium Sacerdotii*. They who meet then with the name *Archiſynagogues* either in *Lampridius*, *Vopiſcus*, *Codex Theodoſii*, *Juſtinians Novels*, in

Mark. 2. 25.

Annot. in Luc. 13. 14.

In Caligula. *Lampr. vit. Alex. Sever.* *Vopiſcus in Saturn.*

all whom it occurs, and in ſome places as diſtinct from Preſbyters, will learn to underſtand thereby only the higheſt honour in the Synagogue, conſidering before how little, yea nothing of power the Jews enjoyed under either the Heathen or Chriſtian Emperours.

Cod. de Jud. Colic. & Eam l. 13. Cod. Jud. l. 17. c. de Judæis.

One thing more we add, touching this honour of the Rulers of the Synagogue among the Jews, that whatever honour, title, power or dignity is imported by that name, it came not from any Law enforcing or commanding it, but from mutual confederation and agreement among the perſons imployed in the Synagogue, whoſe natural reaſon did dictate, that where many have an equality of power, it is moſt convenient (by way of accumulation upon that perſon, of a power more then he had, but not by deprivation of themſelves of that inherent power which they enjoyed) to entruſt the management of the executive part of affairs of common concernment to one perſon ſpecially choſen and deputed thereunto. So it was in all the *Sanhedrins* among the Jews, and in all well ordered Senates and Councils in the world. And it would be very ſtrange, that any officers of a religious ſociety, ſhould upon that account be out-Lawed of thoſe natural liberties, which are the reſults and products of the free actings of reaſon. Which things, as I have already obſerved, God hath looked on to be ſo natural to man, as when he was moſt ſtrict and punctual in ceremonial commands, he yet left theſe things wholly at liberty. For we read not of any command, that in the *Sanhedrin* one ſhould have ſome peculiarity of honour above the reſt; this mens natural reaſon would prompt them to, by reaſon of a neceſſary priority of order in ſome above others; which the very inſtinct of nature hath taught irrational creatures, much more ſhould the light of reaſon direct men to. But yet all order is not power, nor all power juridical, nor all juridical power a ſole power; therefore it is a meer Paralogiſm in any from order to infer power, or from a delegated power by conſent, to infer a juridical power by Divine right; or laſtly, from a power in common with others, to deduce a power excluding others. All which they are guilty of, who meerly from the name of an *Archiſynagogue*, would fetch a perpetual neceſſity of juriſdiction

diction in one above the elders joyned with him, or from the נשוא in the *Sanhedrin*, a power of a ſole ordination in one without the conſent of his fellow Senators. But of theſe afterwards. Thus much may ſuffice for a draught in little of the Government of the Jewiſh Synagogue.

§. 8. Having thus far repreſented the Jewiſh Synagogue that the Idea of its government may be formed in our underſtandings, we now come to conſider how far, and in what the Apoſtles in forming Chriſtian Churches did follow the pattern of the Jewiſh Synagogue. Which is a notion not yet ſo far improved as I conceive it may be, and I know no one more conducible to the happy end of compoſing our differences, touching the government of the Church then this is. I ſhall therefore for the full clearing of it, premiſe ſome general conſiderations to make way for the entertainment of this *hypotheſis* in mens minds, at leaſt as probable; and then endeavour particularly to ſhew how the *Apoſtles* did obſerve the model of the Synagogue, *in its publick ſervice, in ordination of Church officers, in forming Presbyteries in the ſeveral Churches, in ruling and governing thoſe Presbyteries.* The general conſiderations I premiſe, to ſhew the probability of what I am aſſerting, ſhall be from theſe things, *from the community of name and cuſtomes between the believing Jews and others, at the firſt forming Churches: from the Apoſtles forming Churches out of Synagogues in their travelling abroad; from the agreeableneſs of that model of Government to the State of the Chriſtian Churches at that time.* I begin with the firſt, *From the community of names and cuſtomes between the believing and unbelieving Jews at the firſt forming Churches.* All the while our bleſſed Saviour was living in the world, Chriſt and his diſciples went ſtill under the name of Jews; they neither renounced the name, nor the cuſtoms in uſe among them. Our Saviour goes up to the *Feaſts* at *Jeruſalem*, conforms to all the rites and cuſtomes in uſe then; not only thoſe commanded by God himſelf, but thoſe taken up by the Jews themſelves, if not contrary to Gods commands, as in obſerving the feaſt of Dedication, in going into their Synagogues, and teaching ſo often there, in waſhing the Feet of the diſciples,

(a cuſtome uſed by them before the Paſſover) in uſing baptiſm, for proſelyting men to the profeſſion of Chriſtianity, *&c.* In theſe and other things our Saviour conformed to the received practice among them, though the things themſelves were no wales commanded by the Law of *Moſes*. And after his reſurrection, when he took care for the forming of a Church upon the doctrine he had delivered, yet we find not the Apoſtles withdrawing from communion with the Jews; but on the contrary, we find the diſciples frequenting the Temple, *Acts* 2. 46. *Acts* 3. 1. *Acts* 5. 20, 21, 26. Whereby it appears how they owned themſelves as Jews ſtill, obſerving the ſame both time and place for publick worſhip which were in uſe among the Jews. We find *Paul*
Acts 9. 20. preſently after his converſion in the Synagogues, preaching that Chriſt whom he had before perſecuted; and where ever he goes abroad afterwards, we find him ſtill entring into the Synagogues to preach; where we cannot conceive he
Acts 13. 5. 14. 17. 10. 18. 4. 19. 8. ſhould have ſo free and eaſie admiſſion, unleſs the Jews did look upon him as one of their own religion, and obſerving the ſame cuſtomes in the Synagogues with themſelves, only differing in the point of the coming of the *Meſſias*, and the obligation of the ceremonial Law, the leaſt footſteps of which were ſeen in the Synagogue-worſhip. But that which yet further clears this, is the general prejudice of the diſciples againſt the Gentiles, even after the giving the *Holy Ghoſt*, as
Acts. 11. 3. appears by their contending with *Peter* for going in to men uncircumciſed. It is evident that then the Apoſtles themſelves did not clearly apprehend the extent of their commiſſion; for elſe what made *Peter* ſo ſhy of going to *Cornelius*? but by *every*
Acts 10. 28. *creature* and *all nations* they only apprehended the Jews in their diſperſions abroad, or at leaſt that all others who were to be ſaved, muſt be by being *Proſelyted* to the Jews, and obſerving the Law of *Moſes*, together with the Goſpel of Chriſt. And therefore we ſee the neceſſity of circumciſion much preſſed by
Acts 15. 1. the believing Jews which came down from *Jeruſalem*, which raiſed ſo high a diſpute, that a convention of the Apoſtles together at *Jeruſalem* was called for the ending of it; And even there we find great heats before the buſineſs could be
15. 7. decided πολλῆς δὲ συζητήσεως γενομένης, *After there had been much diſputing.*

diſputing. Nay after this Council, and the determination of the Apoſtles therein, all the eaſe and releaſe that was granted, was only to the Gentile-converts, but the Jews ſtick cloſe to their old Principles ſtill, and are as zealous of the cuſtomes of the Jews as ever before. For which we have a pregnant teſtimony in *Act.* 21.20,21,22. Where the Elders of the Church of Jeruſalem tell *Paul there were many myriads* Ἰουδαίων τῶν πεπιστευκότων *of believing Jews, who were* πάντες ζηλωταὶ τοῦ νόμου, *all very zealous for the Law ſtill* and therefore had conceived a ſiniſter opinion of *Paul* as one that taught a defection from the Law of *Moſes, ſaying, they might not circumciſe their Children nor walk after the cuſtomes.* One copy reads it as *Beza* tells us, τοῖς ἔθεσι τοῖς πατρώοις προσέχειν *to follow the cuſtome of their Fathers.* We ſee how equally zealous they are for the cuſtomes obtaining among them, as for the Law its ſelf. And is it then any waies probable that theſe who continued ſuch zealots for the cuſtomes among them, ſhould not obſerve thoſe cuſtomes in uſe in the Synagogues for the Government of the Church? Might not they have been charged as well as *Paul* with relinquiſhing *the cuſtomes*, if they had thrown off the model of the Jewiſh Synagogue, and taken up ſome cuſtomes different from that? And that which further confirms this, is, that this Church of *Jeruſalem* continued ſtill in its zeal for the Law, till after the deſtruction of the Temple; and all the ſeveral Paſtors of that Church (whom Eccleſiaſtical writers call Biſhops) were of the circumciſion. For both we have the teſtimony of *Sulpicius Severus*, ſpeaking of the time of *Adrian.* *Et quia Chriſtiani ex Judæis potiſſimum putabantur (namque tum Hyeroſolymæ, non niſi ex circumciſione habebat Eccleſia ſacerdotem) militum cohortem cuſtodiæ in perpetuum agitare juſſit, quæ Judæos omnes Hieroſolymæ aditu arceret. Quod quidem Chriſtianæ fidei proficiebat; quia tum pene omnes Chriſtum Deum, ſub legis obſervatione, credebant.* We ſee hereby that the Chriſtians obſerved ſtill the Law with the Goſpel; and that the Jews and Chriſtians were both reckoned as one body, which muſt imply an obſervation of the ſame rites and cuſtomes among them: For thoſe are the things whereby ſocieties are diſtinguiſhed moſt. Now it is evident that the *Romans* made no diſtinction at firſt between the

Euſeb. hiſt. l. 4. c. 6. & chronic. Hiſt. ſacr. l. 2. p. 381. ed. H.n.

the Jews and Christians. Thence we read in the time of *Claudius* when the Edict came out against the Jews, *Aquila* and *Priscilla*, though converted to Christianity, were forced to leave *Italy* upon that account, being still looked on as Jews; yet these are called by *Paul his helpers in Christ Jesus*. For which *Onuphrius* gives this reason, *Nullum adhuc inter Judæos & Christianos discrimen noscebatur*, which account is likewise given by *Alphonsus Ciaconius*. *Congeneres & comprofessores ejusdem religionis gentilibus censebantur. (Christiani pariter ac Judæi)*. The Edict of *Claudius* we may read still in *Suetonius*, *Judæos impulsore Chresto assidue tumultuantes Roma expulit*. We find here the Edict fully expressed for banishing the Jews, and the occasion set down; which most interpret of the doctrine of Christ, as the occasion of the stirs between the Jews and Christians. For the *Romans* called Christ *Chrestus*, and Christians, *Chrestiani*, as the Authors of the Christians *Apologies* against the heathens often tell us. But *Marcellus Donatus* conjectures this *Chrestus* to have been some seditious Jew called by that name; for which he brings many *Inscriptions* wherein the name occurrs, but none wherein it is given to a Jew; which should be first produced, before we leave the received interpretation of it. However that be, we see the Jews and Christians equally undergo the punishment without any difference observed in them; and therefore when *Paul* was brought before *Gallio* the *Proconsul* of *Achaia*, he looked upon the difference between the Jews and *Paul* to be only *a Question of words and names, and of their Law*, and thereupon refused to meddle in it. And so *Celsus* upbraids both Jews and Christians, as though their contentions were about a matter of nothing. By all this we may now consider how little the Christians did vary from the customs and practice of the Jews, when they were thought by those who were equally enemies to both, to be of the same body and community. Which consideration will make the thing I aim at, seem more probable, when withal we observe that the Jewish customes in their Synagogues were those whereby they were most known among the *Romans*; and therefore when they looked on the Christians as of the same religion with the Jews, it is evident they observed no difference as to their publick practises

Act. 18. 2.

Rom. 16. 3.

Annot. in vit. Petri ap. Platin. in vit. Petri.

In Claud. cap. 25.

Lactant. l. 4. c. 7. Tertul. Apol. cap. 3. V. Pet. Pithœum Hor. subseciv. l. 2 c. 3. Donatus dilucid. in Suet. in Claud. c. 25.

Act. 18. 15.

Apud Orig. lib. 3. cont. Celf.

ctiſes in their religious ſocieties. Which is the firſt conſideration to ſhew how probable it is that Chriſtians obſerved the ſame form in government with what they found in the Synagogues.

§. 9. To which I add a *Second* Conſideration; which is the Apoſtles forming Chriſtian Churches out of Jewiſh Synagogues. We have already ſhewed how much their reſort was to them in their preaching from the conſtant practice of *Paul*, although he was in a more peculiar manner the *Apoſtle of the uncircumciſion*; much more then is it probable that the others, eſpecially *Peter*, *James*, and *John* did reſort to the circumciſion. And in the ſetling things at firſt we ſee how fearful the Apoſtles were of giving offence to the Jews, how ready to condeſcend to them in any thing they lawfully might. And can we think that *Paul* would yield ſo far to the Jews as to circumciſe *Timothy*, rather then give offence to the Jews in Acts 16. 3. thoſe parts where he was, (and that in a thing which ſeemed moſt immediately to thwart the deſign of the Goſpel, as circumciſion did, witneſs the Apoſtle himſelf,) that yet he would ſcruple the retaining the old model of the Synagogue, when there was nothing in it at all repugnant to the doctrine of the Goſpel, or the nature & conſtitution of Chriſtian Churches? When the Apoſtles then, did not only gather Churches out of Synagogues, but at ſome places in probability whole Synagogues were converted as well as whole Churches formed; What ſhew of reaſon can be given why the Apoſtles ſhould ſlight the conſtitution of the Jewiſh Synagogues, which had no dependance on the Jewiſh Hierarchy, and ſubſiſted not by any command of the ceremonial Law? The work of the Synagogue not belonging to the Prieſts as ſuch, but as perſons qualified for inſtructing others; and the firſt model of the Synagogue Government is with a great deal of probability derived from the *School of the Prophets* and the Government thereof. This conſideration would be further improved, if the notion of diſtinct *Cœtus* of the Jewiſh and Gentile Chriſtians in the ſame places could be made out by any irrefragable teſtimony of Antiquity, or clear evidence of reaſon drawn from Scripture; Becauſe the ſame reaſon which would ground the diſtinction of the Jewiſh Church from the Gentile, would likewiſe hold for the Jewiſh

Gal. 5. 2.

Church to retain her old form of Government in the Synagogue way. For it must be some kind of peculiarity supposed by the Jews in themselves as distinct from the Gentiles, which did make them form a distinct congregation from them; which peculiarity did imply the observing those customs among them still, by which that peculiarity was known to others; among which those of the Synagogue were not the least known or taken notice of. But I must freely confess I find not any thing brought by that learned person who hath managed this *hypothesis* with the greatest dexterity, to have that evidence in it which will command assent from an unprejudiced mind. And it is pity that such infirm *hypotheses* should be made use of for the justifying our separation from *Rome*, which was built upon reasons of greater strength and evidence then those which have been of late pleaded by some assertors of the Protestant cause, though men of excellent abilities and learning. For there are many reasons convictive enough that *Peter* had no universal power over the Church, supposing that there was no such thing as a distinction between the Jewish and the Gentile *Cœtus*. I deny not but at first, before the Jews were fully satisfied of the Gentiles right to Gospel priviledges, they were very shy of communicating with them, especially the believing Jews of the Church of *Jerusalem*: Upon the occasion of some of whom coming down to *Antioch* from *James*, it was that *Peter withdrew and separated himself from the Gentiles*, with whom before he familiarly conversed. Which action of his is so far from being an *argument* of the setling any distinct Church of the Jews from the Gentiles there, that it yields many reasons against it. For *first Peter*'s withdrawing was only occasional, and not out of design; whereas had it been part of his commission to do it, we cannot conceive *Peter* so mindless of his office, as to let it alone till some Jews came down from *Jerusalem* to tell him of it. *Secondly*, It was not for the sake of the Jews at *Antioch* that he withdrew, but for the Jews which came down from *Jerusalem*; whereas had he intended a distinct Church of the Jews, he would before have setled and fixed them as members of another body; but now it evidently appears, that not only *Peter* himself

Dr. *Ham.* of Schism *ch.* 4. *sect.* 6, 7. *&c.*

Gal. 2. 12.

Schism *p.* 8.

ſelf, but the Jews with him, did before thoſe Jews coming to *Antioch* aſſociate with the Gentiles, which is evident by v. 13. *And other Jews diſſembled likewiſe with him, in ſo much that Barnabas alſo was carryed away with their diſſimulation.* Whereby it is clear that theſe Jews did before joyn with the Gentile Chriſtians, or elſe they could not be ſaid to be led away with the diſſimulation of *Peter*. *Thirdly*, St. *Paul* is ſo far from looking upon this withdrawing of *Peter* and the *Jews* from the *Gentiles* ſociety to be a part of St. *Peters* office, that he openly and ſharply reproves him for it. What then, was *Paul* ſo ignorant that there muſt be two diſtinct Churches of *Jews* and *Gentiles* there, that he calls this action of his *diſſimulation?* In all reaſon then, ſuppoſing this notion to be true, the blame lights on *Paul*, and not on *Peter:* as not underſtanding that the Jews were to be formed into diſtinct bodies from the Gentile Chriſtians. And therefore it is obſervable that the ſame Author who is produced, as aſſerting that *ſeorſim quæ ex Judæis erant Eccleſiæ habebantur, nec his quæ erant ex gentibus miſcebantur*, is he who makes this reproof of *Peter* by *Paul* to be a meer matter of diſſimulation between them both; which ſenſe of that action whoever will be ſo favourable to it as to embrace it (as ſome ſeem inclinable to do it) will never be able to anſwer the arguments brought by St. *Auguſtine* againſt it. This place then was unhappily light upon to ground a diſtinction of the ſeveral *Cœtus* or diſtinct Churches of Jews and Chriſtians at *Antioch*. But it may be, more evidence for it may be ſeen in the *Reſcript* of the Council of *Jeruſalem* which is directed τοῖς κατὰ ἀντιόχειαν——ἀδελφοῖς τοῖς ἐξ ἐθνῶν, *To the brethren at Antioch, thoſe of the Gentiles.* But leaſt ſome hidden myſteries ſhould lye in this *curtailing* the words, let us ſee them at large. *Unto the Brethren which are of the Gentiles in* Antioch, *and* Syria, *and* Cilicia. There was nothing then peculiar to thoſe of the Gentiles at *Antioch* more then in *Syria* and *Cilicia*; and if thoſe words τοῖς ἐξ ἐθνῶν imply a *Cœtus* diſtinct of Gentile Chriſtians, from the Jews at *Antioch*, it muſt do ſo through all *Syria*, and *Cilicia* which was *Pauls Province* and not *Peters*, as appears by his travels in the *Acts*. Either then the Apoſtle of the uncircumciſion muſt form diſtinct Churches of *Jews* and *Gentiles* in

Anſw. to Schiſ. Diſ. ch. 2. ſ. 5. Hieronym. in Gal. 1. 22.

Reply to Cath. Gent, *ch. 4. ſ. 6. n. 6. Aug. ep. 8. 9 19. Hier.*

Act. 15 23. *Schiſm.* p. 75.

Act. 15. 41. 18. 18. 21. 3.

his Preaching through *Syria* and *Cilicia*, (which is irreconcilable with the former pretence of distinct Provinces, asserted by the same Author, who pleads for distinct *Cœtus*) or the τοὺς ἐξ ἐθνῶν can imply no such thing as a distinct Church of *Gentiles* to whomsoever it is spoken; and so not at *Antioch* more then through all *Syria* and *Cilicia*. The plain ground then of the Apostles inscribing the order of the Council to the *Brethren of the Gentiles*, was, because the matter of that order did particularly concern them, and not the Jews, as is obvious to any that will but cast an eye upon the 23, 24, 29. verses of the 15. of the *Acts*. As well might then an order supposed from the Apostles to the several Pastors of Churches in things concerning them as such, imply that they make distinct Churches from their people, as this order concerning the *Gentile Brethren*, being therefore directed to them, doth imply their making distinct Churches from the Jewish Brethren in the Cities where they lived together. What is further produced out of *Antiquity* to this purpose, hath neither evidence nor pertinency enough, to stop the passage of one who is returning from this digression to his former matter. Although then we grant not any such distinct *Cœtus* of the Jews from the Christians, yet that hinders not, but that both Jews and Christians joyning together in one Church, might retain still the *Synagogue* form of Government among them; which there was no reason at all, why the Christians should scruple the using of, either as Jews or Gentiles; because it imported nothing either Typical and Ceremonial, or heavy and burdensome, which were the grounds, why former customs in use among the Jews were laid aside by the Christians. But instead of that, it was most suitable and agreeable to the state of the Churches in Apostolical times, which was the *third consideration* to make it probable that the Synagogue form of Government was used by the Christians. And the suitableness of this Government to the Churches, lay in the conveniency of it for the attaining all ends of Government in that condition wherein the Churches were at that time. For Church officers acting then either in gathering or governing Churches, without any authority from Magistrates, such a way of Government was most

moſt ſuitable to their ſeveral Churches, as whereby the Churches might be governed, and yet have no dependency upon the ſecular power, which the way of Government in the Synagogues was moſt convenient for; for the Jews, though they enjoyed a bare permiſſion from the civil ſtate where they lived, yet by the exerciſe of their Synagogue Government, they were able to order all affairs belonging to the ſervice of God; and to keep all members belonging to their ſeveral Synagogues in unity and peace among themſelves. The caſe was the ſame as to Synagogues and Churches; theſe ſubſiſted by the ſame permiſſion which the others enjoyed; the end of theſe was the ſervice of God, and preſerving that order among them which might beſt become ſocieties ſo conſtituted; there can be no reaſon then aſſigned, why the Apoſtles in ſetling particular Churches ſhould not follow the Synagogue in its model of Government. Theſe things may ſuffice to make it appear probable that they did ſo, which is all theſe conſiderations tend to.

§. 10. Having thus prepared the way by making it probable, I now further enquire into the particular parts of Government, and what orders in the Synagogue were, which there is any evidence for, that the Apoſtles did take up and follow. Here I begin with the thing firſt propounded, *The orders of publick worſhip*, which did much reſemble thoſe of the Synagogue; Only with thoſe alterations which did ariſe from the advancing of Chriſtianity. That the Chriſtians had their publick and ſet meetings for the ſervice of God, is evident from the firſt riſing of a ſociety conſtituted upon the account of Chriſtianity. We read of the *Three thouſand* converted by *Peter's* Sermon, *That they continued in the Apoſtles doctrine and fellowſhip, and breaking of bread and prayers.* Where we have all that was obſerved in the Synagogue, and ſomewhat more; here there is publick joyning together, implyed in the word κοινωνία, their ſolemn prayers expreſſed, which were conſtantly obſerved in the Synagogue; inſtead of reading the Sections of the Law and Prophets, we have the Apoſtles teaching by immediate inſpiration; and to all theſe as the proper ſervice of Chriſtianity, is ſet down the celebration of the Lord's Supper, which we ſhall ſeldom or ever in the Primitive Church Acts 2. 42.

read the publick ſervice on Lords days performed without. During the Apoſtolical times, in which there was ſuch a Land-flood of extraordinary gifts overflowing the Church, in the publick meeting we find thoſe perſons who were indued with thoſe gifts, to be much in exerciſing them (as to the cuſtom, agreeing with the Synagogue, but as to the gifts exceeding it) concerning the ordering of which for the publick edification of the Church, the Apoſtle *Paul* lays down ſo many rules in the fourteenth Chapter to the *Corinthians*; but aſſoon as this flood began to abate, which was then neceſſary for the quicker ſoftening the world for receiving Chriſtianity, the publick ſervice began to run in its former channel, as is apparent from the unqueſtionable teſtimonies of *Juſtin Martyr* and *Tertullian*; who moſt fully relate to us, the order of publick worſhip uſed among the Chriſtians at that time. *Juſtin Martyr* the moſt ancient next to *Clemens* (whoſe Epiſtle is lately recovered to the Chriſtian world) of the unqueſtionable writers of the Primitive Church, gives us a clear narration of the publick orders obſerved by the Church in his time: Τῇ τε ἡλίε λεγομένῃ ἡμέρᾳ πάντων κατὰ πόλεις ἢ ἀγρὲς μένοντων ἐπὶ τὸ αὐτὸ συνέλευσις γίνεται, καὶ τὰ ἀπομνημονεύματα τῶν ἀποστόλων, ἢ τὰ συγγράμματα τῶν προφητῶν ἀναγινώσκεται μέχρις ἐγχωρεῖ· εἶτα παυσαμένε τε ἀναγινώσκοντ⊖, προεξῶς διὰ λόγε ἡ νεθεσίαν καὶ πρόκλησιν ἡ τῶν καλῶν τύτων μιμήσεως ποιεῖται· ἔπειτα ἀνιστάμεθα κοινῇ πάντες, καὶ εὐχὰς πέμπομεν καὶ ὡς προέφημεν, παυσαμένων ἡμῶν τ εὐχῆς ἄρτ⊖ προσφέρεται καὶ ὄινο καὶ ὕδωρ, καὶ ὁ προεξὼς εὐχὰς ὁμοίως καὶ εὐχαριστίας ὅση δύναμις αὐτῷ ἀναπέμπει, καὶ ὁ λαὸς ἐπευφημεῖ λέγων τὸ Ἀμήν. *Upon the day call'd Sunday, all the Chriſtians whether in Town or Country aſſemble in the ſame place, wherein the* Memoires *or Commentaries of the Apoſtles and the writings of the Prophets are read as long as the time will permit; Then the Reader ſitting down, the Preſident of the Aſſembly ſtands up and makes a Sermon of Inſtruction and Exhortation to the following ſo good Examples. After this is ended, we all ſtand up to prayers; prayers ended, the Bread, Wine and Water are all brought forth; then the Preſident again praying and praiſing to his utmoſt ability, the people teſtifie their conſent by ſaying* Amen.

Juſt. Mart. Apol 2. p. 98. ed. Par.

What could have been ſpoken with greater congruity or correſpon-

correſpondency to the Synagogue, abating the neceſſary obſervation of the Euchariſt as proper to Chriſtianity?

Here we have the Scriptures read by one appointed for that purpoſe, as it was in the Synagogue; after which follows the word of Exhortation in uſe among them by the Preſident of the Aſſembly anſwering to the Ruler of the Synagogue; after this, the publick prayers performed by the ſame Preſident, as among the Jews by the publick Miniſter of the Synagogue (as is already obſerved out of *Maimoni*,) then the ſolemn acclamation of *Amen*, by the people, the undoubted practice of the *Synagogue*. To the ſame purpoſe *Tertulliam*, who if he had been to ſet forth the practice of the Synagogue, could ſcarce have made choice of words more accommodated to that purpoſe. *Coimus* (ſaith he) *in cœtum & congregationem, ut ad Deum quaſi manu factâ precationibus ambiamus orantes* —— *Cogimur ad divinarum leterarum Commemorationem, ſi quid præſentium temporum qualitas aut præmonere cogit aut recognoſcere. Certè fidem ſanctis vocibus paſcimus, ſpem erigimus, fiduciam figimus, diſciplinam præceptorum nihilomius inculcatio tibus denſamus; ibidem etiam exhortationes, caſtigationes & cenſura divina. Nam & judicatur magno cum pondere, ut apud certos de Dei conſpectu, ſummumque futuri judicii præjudicium eſt, ſi quis ita deliquerit, ut à communicatione orationis & conventûs & omnis ſancti commercii relegetur. Præſident probati quique ſeniores, honorem iſtum non pretio ſed teſtimonio adepti.* Where we have the *ſame orders for prayers, reading the Scriptures according to occaſions, and Sermons made out of them for increaſe of faith, raiſing hope, ſtrengthening confidence.* We have *the Diſcipline of the Church* anſwering the admonitions and excommunication of the Synagogue; and laſt of all we have the *Bench of Elders ſitting in theſe Aſſemblies, and ordering the things belonging to them.* *Apologet. cap. 39.*

Thus much for the general correſpondency between the publick ſervice of the Church and Synagogue; they that would ſee more particulars, may read our learned Mr. *Thorndike*'s *Diſcourſe of the ſervice of God in Religious Aſſemblies.* Whoſe deſign throughout is to make this out more at large; But we muſt only touch at theſe things by the way, as it were, look into the Synagogue, and go on our way.

We

§. 11. We therefore proceed from their ſervice, to their *cuſtom of ordination*, which was evidently taken up by the Chriſtians from a correſpondency to the Synagogue. For which we are firſt to take notice, that the Rulers of the Church under the Goſpel do not properly ſucceed the Prieſts and Levites under the Law, whoſe office was Ceremonial, and who were not admitted by any ſolemn ordination into their function, but ſucceeded by birth into their places; only the great *Sanhedrin* did judge of their fitneſs, as to birth and body, before their entrance upon their function. So the Jewiſh Doctors tell us לשכת הגויה בה היתה סנהדרין גדולה של ישראל ישבת ודנה את הכהונה i. e. *In the ſtone Parlour, the great* Sanhedrin *of* Iſrael *ſat and did there judge the Prieſts. The Prieſt that was found defective, put on mourning garments, and ſo went forth; he that was not, put on white, and went in and miniſtred with the Prieſts his Brethren. And when no fault was found in the ſons of* Aaron, *they obſerved a feſtival ſolemnity for it. Three* things are obſervable in this Teſtimony, *Firſt*, That the inquiry that was made concerning the Prieſts, was chiefly concerning the purity of their birth, and the freedom of their bodies from thoſe defects which the Law mentions, unleſs in the caſe of groſſer and more ſcandalous ſins, as *Idolatry*, *Murther*, &c. by which they were excluded from the Prieſtly office. The *Second*, is, that the great *Sanhedrin* had this inſpection over, and examination of the Prieſts before their admiſſion; For what that learned man *Conſt. L'Empereur* there conjectures, that there was an *Eccleſiaſtical Sanhedrin* which did paſs judgement on theſe things, is overthrown by the very words of the *Talmudiſts* already cited. The laſt thing obſervable, is, the garments which the Prieſts put on, *viz. white raiment* upon his approbation by the *Sanhedrin*, and ſoon after they were admitted into the Temple with great joy; to which our Saviour manifeſtly alludes, *Revel.* 3. 4, 5. *Thou haſt a few names even in* Sardis *which have not defiled their garments, and they ſhall walk with me in white, for they are worthy. He that overcometh, the ſame ſhall be cloathed in white raiment.* But the Prieſts under the Law, were never ordained by impoſition of hands, as the Elders and Rulers of the Synagogue were;

Cod. Middoth. cap. 5 *ſect.* 3.

V. Selden. de ſucceſſ. ad Pontif. Ebre. l. 2. *c.* 2, 3, 5, *&* 6.

Not. in Cod. Middoth. p. 187, 188.

were; and if any of them came to that office, they as well as others had peculiar designation and appointment to it. It is then a common mistake to think that the Ministers of the Gospel succeed by way of correspondence and Analogy to the Priests under the Law; which mistake hath been the foundation and original of many errors. For when in the Primitive Church, the name of Priests came to be attributed to Gospel Ministers from a fair compliance (as was thought then) of the Christians only to the name used both among Jews and Gentiles; in process of time, corruptions increasing in the Church, those names that were used by the Christians by way of Analogy and Accommodation, brought in the things themselves primarily intended by those names; so by the Metaphorical names of Priests and Altars, at last came up the sacrifice of the Mass; without which, they thought the names of Priest and Altar were insignificant. This mistake we see run all along through the writers of the Church, assoon as the name Priests was applyed to the Elders of the Church, that they derived their succession from the Priests of *Aarons* order. *Presbyterorum ordo exordium sumpsit à filiis Aaron. Qui enim sacerdotes vocabantur in veteri Testamento, hi sunt qui nunc appellantur Presbyteri: & qui nuncupabantur principes sacerdotum, nunc Episcopi nominantur*: as *Isidoris* and *Ivo* tell us. So before them both, *Jerome* in his known Epistle to *Evagrius*. *Et ut sciamus traditiones Apostolicas sumptas de veteri Testamento, Quod Aaron & filii ejus atque Levitæ in Templo fuerunt; hoc sibi Episcopi & Presbyteri atque Diaconi vendicent in Ecclesia.* From which words a learned Doctor, and strenuous assertor of the *jus divinum* of Prelacy, questions not but to make *Jerome* either apparently contradictious to himself, or else to assert, that the superiority of Bishops above Presbyters, was by his confession an Apostolical tradition. For saith he, *Nihil manifestius dici potuit*; and *S.* 2. *Quid ad hoc responderi possit, aut quo σοφῷ φαρμάκῳ artificio deliniri aut deludi tam diserta affirmatio, fateor ego me divinando assequi non posse; sed è contra ex iis quæ D. Blondellus, quæ Walo, quæ Ludov. Capellus hâc in re præstiterunt, mihi persuasissimum esse, Nihil uspiam contra apertam lucem obtendi posse.* In a case then so desperate as poor *Jerome* lyes in, by a wound

Isid. Hisp. de Eccles. offic. l. 2. c. 7. Ivo Carnot. decret. p. 6. c. 11.

Ep. 85.

Dissert. 2. cap. 28.

a wound he is ſuppoſed to have given himſelf; when the Prieſt and the Levite hath paſſed him by, it will be a piece of Charity in our paſſing by the way a little to conſider his caſe, to ſee whether there be any hopes of recovery. We take it then for granted, that *Jerome* hath already ſaid, that *Apoſtolus perſpicuè docet eoſdem eſſe Presbyteros quos & Epiſcopos*, in the ſame Epiſtle which he proves there at large; and in another place; *Sicut ergo Presbyteri ſciunt ſe ex Eccleſiæ conſuetudine, ei qui ſibi præpoſitus fuerit, eſſe ſubjectos; ita Epiſcopi noverint ſe magis conſuetudine, quam diſpoſitionis Dominicæ veritate Presbyteris eſſe majores, & in commune debere Eccleſiam regere.* The difficulty now lyes in the reconciling this with what is before cited out of the ſame Author; ſome ſolve it by ſaying, that in *Jeroms* ſenſe, *Apoſtolical tradition and Eccleſiaſtical cuſtome* are the ſame; as *ad Marcellum*, he ſaith the obſervation of Lent is *Apoſtolica traditio*, and *adverſ. Luciferian.* ſaith it is *Eccleſiæ conſuetudo*; ſo that by Apoſtolical tradition, he meant not an Apoſtolical inſtitution, but an Eccleſiaſtical cuſtome. And if *Jerome* ſpeak according to the general vogue, this ſolution may be ſufficient notwithſtanding what is ſaid againſt it; for according to that common rule of *Auſtin*, *Things that were generally in uſe, and no certain Author aſſigned of them, were attributed to the Apoſtles.* Two things therefore I ſhall lay down for reconciling *Jerome* to himſelf: the *firſt* is, the difference between *Traditio Apoſtolica*, and *Traditio Apoſtolorum*; this latter doth indeed imply the thing ſpoken of to have proceeded from the Apoſtles themſelves, but the former may be applyed to what was in practiſe after the Apoſtles times; and the reaſon of it is, that whatever was done in the Primitive Church, ſuppoſed to be agreeable to Apoſtolical practice, was call'd Apoſtolical. Thence the Biſhops *See* was call'd *Sedes Apoſtolica*, as *Tertullian* tells us, *ob conſanguinitatem doctrinæ.* So *Sidonius Appollinaris* calls the See of *Lupus* the Biſhop of *Tricaſſium* in *France*, *Sedem Apoſtolicam.* And the Biſhops of the Church were call'd *Viri Apoſtolici*, and thence the *Conſtitutions* which go under the Apoſtles names, were ſo call'd, ſaith *Albaſpinæus*, *ab antiquitate; nam cum eorum aliquot ab Apoſtolorum ſucceſſoribus (qui teſte Tertulliano Apoſtolici viri nominibantur)*

Comment. in 1 Tit.

Depræſcrip. adv. hæret. c. 22.

Epiſt. lib 6. Ep. 1.

Obſervat. lib. 1. c. 13.

facti

facti eſſent, Apoſtolicorum primùm Canones, deinde nonnullorum Latinorum ignorantiâ, aliquot literarum detractione, Apoſtolorum dicti ſunt. By which we ſee whatever was conceived to be of any great antiquity in the Church, though it was not thought to have come from the Apoſtles themſelves, yet it was call'd *Apoſtolical*: ſo that in this ſenſe, *traditio Apoſtolica*, is no more then *traditio antiqua*, or *ab Apoſtolicis viris profecta*, which was meant rather of thoſe that were conceived to ſucceed the Apoſtles, then of the Apoſtles themſelves. But I anſwer, *Secondly*, that granting *traditio Apoſtolica* to mean *traditio Apoſtolorum*, yet *Jerome* is far from contradicting himſelf, which is obvious to any that will read the words before, and conſider their coherence. The ſcope and drift of his Epiſtle, is to chaſtiſe the arrogance of one who made Deacons ſuperiour to Presbyters. *Audio quendam in tantam erupiſſe vecordiam, ut Diaconos Presbyteris*, i. e. *Epiſcopis anteferret*, and ſo ſpends a great part of the Epiſtle, to prove that a Biſhop and Presbyter are the ſame; and at laſt brings in theſe words; giving the account, why *Paul* to *Timothy* and *Titus* mentions no Presbyters, *Quia in Epiſcopo & Presbyter continetur. Aut igitur ex Presbytero ordinetur Diaconus, ut Presbyter minor Diacono comprobetur, in quem creſcat ex parvo; aut ſi ex Diacono ordinatur Presbyter, noverit ſe lucris minorem, ſacerdotio eſſe majorem.* And then preſently adds, *Et ut ſciamus traditiones Apoſtolicas ſumptas de veteri Teſtamento, Quod Aaron & filii ejus atque Levitæ in Templo fuerunt, hoc ſibi Epiſcopi & Presbyteri atque Diaconi vendicent in Eccleſiâ.* Is it imaginable that a man who had been proving all along the ſuperiority of a Presbyter above a Deacon, becauſe of his Identity with a Biſhop in the Apoſtles times, ſhould at the ſame time ſay, that a Biſhop was above a Presbyter by the Apoſtles inſtitution, and ſo directly overthrow all he had been ſaying before? Much as if one ſhould go about to prove that the *Præfectus urbis*, and the *Curatores urbis* in *Alexander Severus* his times were the ſame office, and to that end ſhould make uſe of the Conſtitution of that Emperour whereby he appointed fourteen

Curatores urbis, and ſet the *Præfectus* in an office above them. Such an incongruity is ſcarce incident to a man of very ordinary eſteem for intellectuals, much leſs to ſuch a one as *Jerome* is reputed to be. The plain meaning then of *Jerome* is no more but this, that *as* Aaron *and his ſons in the order of Prieſt-hood were above the Levites under the Law: ſo the Biſhops and Presbyters in the order of the Evangelical Prieſt-hood are above the Deacons under the Goſpel.* For the compariſon runs not between *Aaron* and his ſons under the Law, and Biſhops and Presbyters under the Goſpel; but between *Aaron* and his ſons, as one part of the compariſon under the Law, and the Levites under them as the other; ſo under the Goſpel, Biſhops and Presbyters make one part of the compariſon, anſwering to *Aaron* and his ſons in that wherein they all agree; *viz. the order of Prieſt-hood*; and the other part under the Goſpel is that of Deacons anſwering unto the Levites under the Law. The oppoſition is not then in the power of Juriſdiction between Biſhops and Prieſts, but between the ſame power of order, which is alike both in Biſhops and Presbyters (according to the acknowledgment of all) to the office of Deacons which ſtood in competition with them. Thus I hope we have left *Jerome* at perfect harmony with himſelf, notwithſtanding the attempt made to make him ſo palpably contradict himſelf; which having thus done, we are at liberty to proceed in our former courſe; only hereby we ſee how unhapily thoſe arguments ſucceed which are brought from the Analogy between the *Aaronical* Prieſt-hood, to endeavour the ſetting up of a *jus Divinum* of a parallel ſuperiority under the Goſpel. All which arguments are taken off by this one thing we are now upon, *viz.* that the orders and degrees under the Goſpel, were not taken up from Analogy to the Temple, but to the Synagogue: Which we now make out as to ordination, in three things; *The manner of conferring it, the perſons authorized to do it, the remaining effect of it upon the perſon receiving it.*

§. 12. *Firſt*, For the manner of conferring it; that under the Synagogue was done by laying on of hands: Which was taken up among the Jews as a ſignificative rite in the ordaining the Elders among them, and thereby qualifying them either

ther to be members of their *Sanhedrins*, or Teachers of the Law. A twofold Uſe I find of this Symbolical rite, beſide the ſolemn deſignation of the perſon on whom the hands are laid. The *Firſt* is to denote the delivery of the perſon or thing thus laid hands upon, for the right, uſe, and peculiar ſervice of God. And that I ſuppoſe was the reaſon of laying hands upon the beaſt under the Law, which was to be ſacrificed, thereby noting their own parting with any right in it, and giving it up to be the *Lords* for a ſacrifice to him. Thus in the civil Law this delivery is requiſite in the tranſferring dominion, which they call *tranſlatio de manu in manum.* The *ſecond* end of laying on of hands was the ſolemn invocation of the *Divine preſence* and *aſſiſtance* to be upon, and with the perſon upon whom the hands are thus laid. For the hands with us being the inſtruments of action, they did by ſtretching out their hands upon the perſon, repreſent the efficacy of Divine power which they implored in behalf of the perſon thus deſigned. *Tunc enim orabant ut ſic Dei efficacia eſſet ſuper illum, ſicut manus efficaciæ ſymbolum, ei imponebatur,* as *Grotius* obſerves. Thence in all ſolemn prayers, wherein any perſon was particularly deſigned, they made uſe of this cuſtome of impoſition of hands: from which cuſtome, *Auguſtine* ſpeaks, *Quid aliud eſt manuum impoſitio niſi oratio ſuper hominem?* Thence when *Jacob* prayed over *Joſephs* Children, he laid his hands upon them; ſo when *Moſes* prayed over *Joſhua.* The practice likewiſe our Saviour uſed in bleſſing Children, healing the ſick; and the Apoſtles in conferring the gifts of the Holy-Ghoſt; and from thence it was conveyed into the practice of the primitive Church, who uſed it in any more ſolemn invocation of the name of God in behalf of any particular perſons, *As over the ſick, upon repentance and reconciliation to the Church, in Confirmation, and in Matrimony*; which (as *Grotius* obſerves) is to this day uſed in the *Abiſſine* Churches. But the moſt ſolemn and peculiar uſe of this Impoſition of hands among the Jews was in the deſigning of any perſons for any publick imployment among them: Not as though the bare impoſition of hands, did confer any power upon the perſon, (no more then the bare delivery of a thing in Law gives a legal title to it,

Levit. 16. 21.

Ep. ad Gallos. ep. 154. & 166. *Joh. Cord. & V. in* Mat. 9. 19.

Gen. 48. 14. Num. 27. 23.

without expreſs transferring Dominion with it) but with that Ceremony they joyned thoſe words whereby they did confer that Authority upon them: Which were to this purpoſe הרי את סמוך *Ecce ſis tu Ordinatus*, or אני סימך אותך *ego ordino te*, or תהוה סמוך *ſis ordinatus*, to which they added according to the authority they ordained them to, ſome thing peculiarly expreſſing it, whether it was for cauſes finable, or pecuniary, or binding and looſing, or ruling in the Synagogue. Which is a thing deſerving conſideration by thoſe who uſe the rite of impoſing hands in ordination, without any thing expreſſing that authority they convey by that Ordination. This cuſtome being ſo generally in uſe among the Jews in the time when the Apoſtles were ſent forth with authority for gathering and ſetling Churches, we find them accordingly making uſe of this, according to the former practice, either in any more ſolemn invocation of the preſence of God upon any perſons, or deſignation and appointing them for any peculiar ſervice or function: For we have no ground to think that the Apoſtles had any peculiar command for laying on their hands upon perſons in prayer over them, or ordination of them: But the thing its ſelf being enjoined them, *viz.* the ſetting apart ſome perſons for the peculiar work of attendance upon the neceſſities of the Churches by them planted, they took up and made uſe of a laudable rite and cuſtome then in uſe upon ſuch occaſions. And ſo we find the Apoſtles uſing it in the ſolemn deſignation of ſome perſons to the office
Acts. 6. 6. of Deacons, anſwering to the פרנסין in the Synagogue, whoſe office was to collect the moneys for the poor, and to diſtribute it among them. Afterwards we read it uſed upon an occaſion not heard of in the Synagogue, which was for the conferring
Acts 8. 17. the gifts of the Holy-Ghoſt; but although the occaſion was extraordinary, yet ſuppoſing the occaſion, the uſe of that rite in it, was very ſuitable, in as much as thoſe gifts did ſo much anſwer to the שכינה and the רוח הקורש which the Jews conceived did reſt upon thoſe who were ſo ordained by impoſition of hands. The next time we meet with this rite, was upon a
Acts. 13. 3. peculiar deſignation to a particular ſervice of perſons already appointed by God for the work of the *Miniſtry*, which is of *Paul* and *Barnabas* by the Prophets and Teachers at *Antioch*;

Antioch; whereby God doth ſet forth the uſe of that rite of ordination to the Chriſtian Churches. Accordingly we find it after practiſed in the Church, *Timothy* being ordained *by the laying on of the hands of the Presbyterie.* And *Timothy* hath direction given him for the right management of it afterwards, *Lay hands ſuddenly on no man.* For they that would interpret that of reconciling men to the Church by that rite, muſt firſt give us evidence of ſo early an uſe of that cuſtome, which doth not yet appear. But there is one place commonly brought to prove that the Apoſtles in ordaining Elders in the Chriſtian Churches, did not obſerve the Jewiſh form of laying on of hands, but obſerved a way quite different from the Jewiſh practice, *viz.* appointing them by the choice, conſent and ſuffrages of the people. Which place is *Act* 14. 23. where it is ſaid of *Paul* and *Barnabas*, χειροτονήσαντες δὲ αὐτοῖς πρεσβυτέρους κατ' ἐκκλησίαν: We render it, *Ordaining them Elders in every Church.* But others from the ſignification of the word χειροτονεῖν would have it rendred, *when thy had appointed Elders by the ſuffrages of the people.* But how little the peoples power of ordination can be inferred from theſe words, will be evident to any one that ſhall but conſider theſe things. *Firſt*, That though χειροτονεῖν did originally ſignifie the chooſing by way of ſuffrage among the Greeks, yet before the time of *Luke*'s writing this, the word was uſed for ſimple deſignation without that ceremony. So *Heſychius* interprets it by καθιστᾶν the word uſed of *Titus* for ordaining Elders in every City; and in *Demoſthenes* and others it occurs for νομοθετεῖν; and διατάττειν, *to decree and appoint*; and that ſenſe of the word appears in Saint *Luke* himſelf, *Act* 10. 41. μάρτυσι τοῖς προκεχειροτονημένοις ὑπὸ τοῦ θεοῦ, *Witneſſes foreappointed of God.* Many examples of this ſignification are brought by learned men of writers before, and about the time when *Luke* Writ, from *Philo Judæus*, *Joſephus*, *Appian*, *Lucian*, and others. But *Secondly*, granting it uſed in the primary ſignification of the word, yet it cannot be applied to the people, but to *Paul* and *Barnabas*; for it is not ſaid that the people did χειροτονεῖν, but that *Paul* and *Barnabas* did χειροτονεῖν: now wherever that word is uſed in its firſt ſignification, it is implyed

1 Tim. 4. 14.

1 Tim. 5. 22.

Titus 1. 5. *V. Demoſth. Phil. 1. & adverſ. Simon. & Ulpian. in Schol.*

V. Selden. de Syned. l. 1. cap. 14. Grot. de Imp. Sum. Poteſt. c. 10. §. 5.

implyed to be the action of the persons themselves giving suffrages, and not for other persons appointing by the suffrages of others. *Thirdly*, χειροτονεῖν may import no more then χειροθετεῖν, in that laying on of the hands must suppose the stretching them out: Which is only a common figure in Scripture for the Antecedent to be put for the Consequent, or one part for the whole action; and concerning this sense of the word in Eccleſiastical Writers, see the large quotations in Bishop *Bilson* to this purpose. *Fourthly*, It seems strangely improbable that the Apostles should put the choice at that time into the hands of the people, when there were none fitted for the work the Apostles designed them for, but whom the Apostles did lay their hands on, by which the Holy Ghost fell upon them, whereby they were fitted and qualified for that work. The people then could no ways choose men for their abilities, when their abilities were consequent to their ordination. So much to clear the manner of ordination to have been from the Synagogue.

Perpet. Govern. of Christs church. c. 7.

§. 13. The *second* thing we consider, is, *the persons authorized to do it:* whom we consider under a double respect, *before their liberties were bound up by compact among themselves*, and *after*. *First*, before they had restrained themselves of their own liberty, then the general rule for ordinations among them was כל כיי שנסמך סומך לתלמיריו *every one regularly ordained, himself had the power of ordaining his disciples*, as *Maimonides* affirms. To the same purpose is that testimony of the *Gemara Babylonia* in Mr. *Selden* אמר רבי בא בראשונה היה כל אחד ואחד ממנה את תלמיריו *Rabbi Abba Bar Jonah said that in times of old, every one was wont to ordain his own Disciples:* to which purpose many instances are there brought. But it is generally agreed among them, that in the time of *Hillel* this course was altered, and they were restrained from their former liberty; in probability finding the many inconveniencies of so common ordinations; or as they say, out of their great reverence to the house of *Hillel*, they then agreed that none should ordain others without the presence of the הנשיא the Prince of the *Sanhedrin*, or a license obtained from him for that end; and it was determined that all ordinations without the consent of the Prince of the *Sanhedrin*

Tract. San. cap. 4. f. 5. Ad tit. Sanhed. c. 1. De Syned. l. 2. c. 7. f. 1.

hedrin ſhould be looked upon as null and void; which is atteſted by the former Authors. The ſame diſtinction may be obſerved under the Goſpel in reference to the fixed Officers of the Church; for we may conſider them in their firſt ſtate and period, as the Presbyters did rule the Churches in common, as *Jerome* tells us, *communi Presbyterorum concilio Eccleſiæ gubernabantur*: before the juriſdiction of Presbyters was reſtrained by mutual conſent, in this inſtant doubtleſs, the Presbyters enjoyed the ſame liberty that the Presbyters among the Jews did, of ordaining other Presbyters by that power they were inveſted in at their own ordination. To which purpoſe we ſhall only at preſent take notice of the Confeſſion of two Canoniſts who are the higheſt among the Papiſts, for defence of a diſtinct order of Epiſcopacy. Yet *Gratian* himſelf confeſſeth, *Sacros ordines dicimus Diaconatum & Presbyteratum; hos quidem ſolos Eccleſia primitiva habuiſſe dicitur.* And *Johannes Semeca* in his *Gloſs* upon the *Canon-Law*; *Dicunt quidem quod in Eccleſia prima primitiva commune erat officium Epiſcoporum & Sacerdotum, & nomina erant communia.——— Sed in ſecundâ primitivâ cœperunt diſtingui & nomina & officia.* Here we have a diſtinction of the Primitive Church very agreeable both to the opinion of *Jerom*, and the matter we are now upon; in the firſt Primitive Church, the Presbyters all acted in common for the welfare of the Church, and either did or might ordain others to the ſame authority with themſelves; becauſe the intrinſecal power of order is equally in them, and in thoſe who were after appointed Governours over Presbyteries. And the collation of orders doth come from the power of order, and not meerly from the power of juriſdiction. It being likewiſe fully acknowledged by the Schoolmen, that Biſhops are not ſuperiour above Presbyters as to the power of order. But the cleareſt evidence of this, is in the Church of *Alexandria*, of which *Jerome* ſpeaks; *Nam &* Alexandria *à* Marco *Evangeliſtâ uſq; ad* Heraclam & Dionyſium *Epiſcopos, Preſbyteri ſemper unum ex ſe electum, in excelſiori gradu collocatum, Epiſcopum nominabant; quomodo ſi exercitus imperatorem faciat, aut Diaconi eligant de ſe quem induſtrium noverint, & Archidiaconum vocent.* That *learned Doctor* who would

Hieronym. in 1 Tit.

Diſt. 60. *c. Mull. ex urb. Pap.*

Diſt. 95. *Gloſs.*

V. Francis Maſon's defence of Ordination of Presbyters.

Ep. 85. *ad Evagrium.*

perſwade us that the Presbyters did only make choice of the perſon, but the ordination was performed by other Biſhops, would do well *firſt* to tell us who and where thoſe Biſhops in *Egypt* were, who did conſecrate or ordain the Biſhop of *Alexandria* after his election by the Presbyters; eſpecially, while *Egypt* remained but one Province, under the Government of the *Præfectus Auguſtalis*. *Secondly*, how had this been in the leaſt pertinent to *Jerom*'s purpoſe to have made a particular inſtance in the Church of *Alexandria*, for that which was common to all other Churches beſides? For the old rule of the *Canon-Law* for Biſhops was, *Electio clericorum eſt, conſenſus principis, petitio plebis.* *Thirdly*, this election in *Jerome* muſt imply the conferring the power and authority whereby the Biſhop acted. For *firſt*, the firſt ſetting up of this power is by *Jerome* attributed to this choice, as appears by his words, *Quod autem poſtea unus electus eſt qui cæteris præponeretur, in ſchiſmatis remedium factum eſt, ne unuſquiſque ad ſe trahens Chriſti Eccleſiam rumperet.* Whereby it is evident *Jerome* attributes the firſt original of that *Exſors poteſtas* as he calls it elſewhere in the Biſhop above Presbyters, not to any Apoſtolical inſtitution, but to the free choice of the Presbyters themſelves: which doth fully explain what he means by *conſuetudo Eccleſiæ* before ſpoken of, *viz.* that which came up by a voluntary act of the Governours of Churches themſelves. *Secondly*, it appears that by election he means conferring authority by the inſtances he brings to that purpoſe; As the Roman Armies chooſing their Emperours, who had then no other power but what they received by the length of the ſword; and the Deacons chooſing their Archdeacon, who had no other power but what was meerly conferred by the choice of the College of Deacons. To which we may add what *Eutychius* the *Patriarch* of *Alexandria*, ſaith in his *Origines Eccleſiæ Alexandrinæ* publiſhed in *Arabick* by our moſt learned *Selden*, who expreſly affirms *that the twelve Presbyters conſtituted by* Mark *upon the vacancy of the See, did chooſe out of their number one to be head over the reſt, and the other eleven did lay their hands upon him and bleſſed him, and made him Patriarch.* Neither is the authority of *Eutychius* ſo much to be ſlighted in this caſe, coming ſo near to *Jerome*

V. Selden. ad Eutych. n.22. p.143.

Diſt. 62. ſect. har.

Adverſ. Lucil.

Origin. p.29, 30.

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as he doth, who doubtleſs had he told us that *Mark* and *Anianus*, *&c.* did all there without any Presbyters, might have had the good fortune to have been quoted with as much frequency and authority as the *Anonymous Author* of the martyrdome of *Timothy* in *Photius* (who there unhappily follows the ſtory of the ſeven Sleepers) or the Author of the *Apoſtolical Conſtitutions*, whoſe credit is everlaſtingly blaſted by the excellent Mr. *Daillè De Pſeudepigraphis Apoſtolorum*; ſo much doth mens intereſt tend to the inhancing or abating the eſteem and credit both of the dead and the living. By this we ſee that where no poſitive reſtraints from conſent and choice, for the unity and peace of the Church, have reſtrained mens liberty as to their external exerciſe of the power of order or juriſdiction, every one being himſelf advanced into the authority of a Church Governour, hath an internal power of conferring the ſame upon perſons fit for it. To which purpoſe *the laying on of the hands of the Preſbytery*, is no wiſe impertinently alledged, although we ſuppoſe St. *Paul* to concur in the action, (as it is moſt probable he did,) becauſe if the Presbytery had nothing to do in the ordination, to what purpoſe were their hands laid upon him? Was it only to be witneſſes of the fact, or to ſignifie their conſent? both thoſe might have been done without their uſe of that ceremony; which will ſcarce be inſtanced in, to be done by any but ſuch as had power to confer what was ſignified by that ceremony. We come therefore to the *ſecond* period or ſtate of the Church, when the former liberty was reſtrained, by ſome act of the Church it ſelf, for preventing the inconveniences which might follow the too common uſe of the former liberty of ordinations. So *Antonius de Roſellis* fully expreſſeth my meaning in this; *Quilibet Presbyter & Presbyteri ordinabant indiſcretè, & ſchiſmata oriebantur. Every Presbyter and Presbyters did ordain indifferently, and thence aroſe ſchiſms:* thence the liberty was reſtrained and reſerved peculiarly to ſome perſons who did act in the ſeveral Presbyteries, as the נשיא or Prince of the *Sanhedrin*, without whoſe preſence no ordination by the Church was to be looked on as regular. The main controverſie is when this reſtraint began, and by whoſe act;

Biblioth. Cod. 254.

1 Tim. 4 14.

Roſſellis de pot. Imper. & Papæ. p. 4. *c.* 18.

whether by any act of the Apoſtles, or only by the prudence of the Church its ſelf, as it was with the *Sanhedrin*. But in order to our peace, I ſee no ſuch neceſſity of deciding it, both parties granting that in the Church ſuch a reſtraint was laid upon the liberty of ordaining Presbyters: and the exerciſe of that power may be reſtrained ſtill, granting it to be radically and intrinſically in them. So that this controverſie is not ſuch as ſhould divide the Church. For thoſe that are for ordinations only by a Superiour order in the Church, acknowledging a radical power for ordination in Presbyters, which may be exerciſed in caſe of neceſſity, do thereby make it evident, that none who grant that, do think that any poſitive Law of God hath forbidden Presbyters the power of ordination; for then it muſt be wholly unlawful, and ſo in caſe of neceſſity it cannot be valid. Which doctrine I dare with ſome confidence aſſert to be a ſtranger to our Church of *England*, as ſhall be largely made appear afterwards. On the other ſide, thoſe who hold ordinations by Presbyters lawful, do not therefore hold them neceſſary, but it being a matter of liberty, and not of neceſſity (Chriſt having no where ſaid that none but Presbyters ſhall ordain) this power then may be reſtrained by thoſe who have the care of the Churches peace, and matters of liberty being reſtrained, ought to be ſubmitted to, in order to the Churches peace. And therefore ſome have well obſerved the difference between the opinions of *Jerome* and *Aerius*. For as to the matter it ſelf, I believe upon the ſtricteſt inquiry *Medina's* judgement will prove true, that *Jerome*, *Auſtin*, *Ambroſe*, *Sedulius*, *Primaſius*, *Chryſoſtome*, *Theodoret*, *Theophilact*, were all of *Aërius* his judgement, as to the Identity of both name and order of Biſhops and Presbyters in the Primitive Church; but here lay the difference; *Aërius* from hence proceeded to ſeparation from Biſhops and their Churches, becauſe they were Biſhops. And *Blondell* well obſerves that the main ground why *Aerius* was condemned, was for unneceſſary ſeparation from the Chruch of *Sebaſtia*, and thoſe Biſhops too who agreed with him in other things, as *Euſtathius* the Biſhop did: Whereas had his meer opinion about Biſhops been the ground of his being condemned, there can be no reaſon aſſigned

Mich. Medinas de ſacr. hom. orig. & contin. l. 1. cap 5.

Traf. p. 58.

assigned, why this heresie if it were then thought so, was not mentioned either by *Socrates*, *Theodoret*, *Sozomen*, or *Evagrius*, before whose time he lived; when yet they mention the *Eustathiani*, who were Cotemporaries with him. But for *Epiphanius* and *Augustine* who have listed him in the roul of hereticks, it either was for the other heretical opinions maintained by him, or they took the name *heretick* (as it is evident they often did) for one who upon a matter of different opinion from the present sense of the Church, did proceed to make separation from the Unity of the Catholick Church; which I take to be the truest account of the reputed heresie of *Aerius*. For otherwise is it likely that *Jerom* who maintained so great correspondency and familiarity with *Epiphanius*, and thereby could not but know what was the cause why *Aerius* was condemned for heresie, should himself run into the same heresie, and endeavour not only to affert it, but to avouch and maintain it against the Judgment of the whole Church? *Jerome* therefore was not ranked with *Aerius*, because though he held the same opinion as to Bishops and Presbyters, yet he was far from the Consequence of *Aerius*, that therefore all Bishops were to be separated from; nay he was so far from thinking it necessary to cause a schism in the Church, by separating from Bishops, that his opinion is clear, that the first institution of them, was for preventing schisms, and therefore for peace and unity he thought their institution very useful in the Church of God. And among all those fifteen testimonies produced by a learned Writer out of *Jerome* for the superiority of Bishops above Presbyters, I cannot find one that doth found it upon any *divine right*, but only upon the conveniency of such an order for the peace and unity of the Church of God: Which is his meaning in that place most produced to this purpose; *Ecclesiæ salus in summi sacerdotis dignitate pendet, cui si non exsors quædam & ab omnibus eminens detur potestas, tot in Ecclesiis efficientur schismata, quot sacerdotes.* Where nothing can be more evident then that he would have some supereminent power attributed to the Bishop for preventing schisms in the Church. But granting some passages may have a more favourable aspect towards the superiority of Bishops over Presbyters in *Dial. adv. Lucifer.*

his other writings, I would fain know whether a mans judgement must be taken, from occasional and incidental passages, or from designed and set discourses; which is as much as to ask, whether the lively representation of a man by picture, may be best taken, when in haste of other business he passeth by us, giving only a glance of his Countenance, or when he purposely and designedly sits in order to that end, that his countenance may be truly represented? Besides, it is well known that *Jerome* in his *Commentaries* on Scripture, (where he doth not expresly declare his own opinion) doth often transcribe what he finds in others without setting down the name of any Author he had it from. For which we have his ingenious confession in his Epistle to *Augustine*, *Itaque ut simpliciter fatear, legi hæc omnia* (speaking of former Commentaries) *& in mente mea plurima conservans, accito notario, vel mea vel aliena dictavi, nec ordinis, nec verborum interdum, nec sensuum memor.* A strange way of writing Commentaries on Scripture, wherein a man having jumbled other mens notions together in his brain, by a kind of lottery draws out what comes next to hand, without any choice: yet this we see was his practice, and therefore he puts *Austin* to this hard task of examining what all other men had writ before him, and whether he had not transcribed out of them, before he would have him charge him with any thing which he finds in his Commentaries. How angry then would that hasty Adversary have been, if men had told him he had contradicted himself in what he writes on the forty fifth *Psalm* about Bishops, if it be compared with his Commentaries on *Titus*, where he professeth to declare his opinion, or his Epistles to *Evagrius* and *Oceanus*! But yet something is pleaded even from those places in *Jerome*, wherein he declares his opinion more fully, as though his opinion was only, that Christ himself did not appoint Episcopacy, which (they say) he means by *Dominica dispositio*, but that the Apostles did it, which in opposition to the former he calls *Ecclesiæ consuetudo*, but elsewhere explains it by *traditio Apostolica*; and this they prove by two things; *First*, The occasion of the institution of Episcopacy, which is thus set down by him, *antequam Diaboli instinctu, studia in religione fierent,*

Ep. August. ep. 11.

fierent, & diceretur in populis, Ego ſum Pauli, *ego* Apollò, *ego autem* Cephæ, *communi Presbyterorum conſilio Eccleſiæ gubernabantur.* Thence it is argued that the time of this Inſtitution of Biſhops was when it was ſaid at *Corinth, I am of* Paul, *I of* Apollos, *and I of* Cephas: which was certainly in Apoſtolical times. But to this it is anſwered; *Firſt*, that it is impoſſible *Jeromes* meaning ſhould be reſtrained to that individual time, becauſe the Arguments which *Jerome* brings that the name and office of Biſhops and Presbyters were the ſame, were from things done after this time. *Pauls* firſt Epiſtle to the *Corinthians*, wherein he reproves their ſchiſms, was written according to *Ludovicus Capellus* in the twelfth year of *Claudius*, of Chriſt fifty one, after which *Paul* writ his Epiſtle to *Titus*, from whoſe words *Jerome* grounds his diſcourſe; but moſt certainly *Pauls* Epiſtle to the *Philippians* was not written, till *Paul* was priſoner at *Rome*; the time of the writing of it is placed by *Capellus* in the third of *Nero*; of *Chriſt* 56. by *Blondell* 57. by our *Lightfoot* 59. by all, long after the former to the *Corinthians*; yet from the firſt verſe of this Epiſtle, *Jerome* fetcheth one of his Arguments. So *Pauls* charge to the Elders at *Miletus*, *Peters* Epiſtle to the diſperſed Jews, were after that time too, yet from theſe are fetched two more of *Jeroms* Arguments. Had he then ſo little common ſenſe, as to ſay that Epiſcopacy was inſtituted upon the ſchiſm at *Corinth*, and yet bring all his Arguments for parity, after the time, that he ſets for the Inſtitution of Epiſcopacy. But *ſecondly*, *Jerome* doth not ſay, *cum diceretur apud Corinthios, Ego ſum* Pauli, *&c.* but *cum diceretur in populis, Ego ſum* Pauli, *&c.* ſo that he ſpeaks not of that particular ſchiſm, but of a general and univerſal ſchiſm abroad among moſt people, which was the occaſion of appointing Biſhops; and ſo ſpeaks of others imitating the ſchiſm and language of the *Corinthians*. *Thirdly*, had Epiſcopacy been inſtituted on the occaſion of the ſchiſm at *Corinth*, certainly of all places, we ſhould the ſooneſt have heard of a Biſhop at *Corinth* for the remedying of it; and yet almoſt of all places, thoſe *Heralds* that derive the ſucceſſion of Biſhops from the Apoſtles times, are the moſt plunged whom to fix on at *Corinth*. And they that can find any one ſingle Biſhop at *Corinth*

Hiſt. Apoſtolica. p. 70.

rinth at the time when *Clemens* writ his Epiſtle to them (about another ſchiſm as great as the former, which certainly had not been according to their opinion, if a Biſhop had been there before) muſt have better eyes and judgement, then the deſervedly admired *Grotius*, who brings this in his Epiſtle to *Bignonius* as one argument of the undoubted antiquity of that Epiſtle: *Quod nuſquam meminit exſortis illius Epiſcoporum auctoritatis, quæ Eccleſiæ conſuetudine, poſt* Marci *mortem* Alexandriæ, *atque eo exemplo alibi, introduci cœpit; ſed plane ut* Paulus *Apoſtolus oſtendit, Eccleſias communi Presbyterorum, qui iidem omnes & Epiſcopi ipſi Pauloq; dicuntur, conſilio fuiſſe gubernatas.* What could be ſaid with greater freedom, that there was no ſuch Epiſcopacy then at *Corinth*? *Fourthly*, They who uſe this argument, are greater ſtrangers to St. *Jeroms* language then they would ſeem to be: whoſe cuſtome it is upon incidental occaſions to accommodate the Phraſe and language of Scripture to them: as when he ſpeaks of *Chryſoſtomes* fall, *Cecidit Babylon, cecidit*; of the *Biſhops* of *Paleſtine*, *Multi utroque claudicant pede*; of the Roman Clergy, *Phariſæorum conclamavit Senatus*; but which is moſt clear to our purpoſe, he applyes this very ſpeech to the men of his own time; *Quando non id ipſum omnes loquimur, & alius dicit Ego ſum* Pauli, *ego* Apollo, *ego* Cephæ, *dividimus ſpiritus unitatem, & eam in partes & membra diſcerpimus.* All which inſtances are produced by *Blondell*, but have the good fortune to be paſt over without being taken notice of. But ſuppoſing, *ſay they*, that it was not till after the ſchiſm at *Corinth*, yet it muſt needs be done by the Apoſtles; elſe how could it be ſaid to be *toto orbe decretum, ut unus de Presbyteris electus ſuperponeretur cæteris? Quommodo enim* (ſaith a learned man) *fieri potuit, ut toto hoc orbe decerneretur, nullo jam Oecumenico Concilio ad illud decernendum congregato, ſi non ab Apoſtolis ipſis, fidem toto orbe promulgantibus, & cum fide hanc regendi Eccleſias formam conſtituentibus factum ſit?* So that he conceives, ſo general an order could not be made, unleſs the Apoſtles themſelves at that time were the authors of it.

Ep. ad Gal. ep. 162.

Apol. p. 4.

But *Firſt*, *Jeroms In toto orbe decretum eſt*, relates not to an antecedent order which was the ground of the inſtitution of Epiſcopacy, but to the univerſal eſtabliſhment of that order

der which came up upon the occaſion of ſo many ſchiſms; it is ſomething therefore conſequent upon the firſt ſetting up Epiſcopacy, which is the general obtaining of it in the Churches of Chriſt, when they ſaw its uſefulneſs in order to the Churches peace; therefore the Emphaſis lies not in *decretum eſt*, but *in toto orbe*; noting how ſuddenly this order met with univerſal acceptance when it firſt was brought up in the Church after the Apoſtles death. Which that it was *Jeroms* meaning, appears by what he ſaith after, *paulatim verò (ut diſſentionum plantaria evellerentur) ad unum omnem, ſolicitudinem eſſe delatam:* Where he notes the gradual obtaining of it: which I ſuppoſe was thus, according to his opinion; firſt, in the College of Presbyters appointed by the Apoſtles, there being a neceſſity of order, there was a Preſident among them who had ἀυθεντίαν τῦ πράγματος, as the Preſident of the Senate, *i.e.* did moderate the affairs of the Aſſembly, by propoſing matters to it, gathering voices, being the firſt in all matters of concernment, but he had not ἀυθεντίαν τῆς συνέδρου, as *Caſaubon* very well diſtinguiſheth them, *i. e.* had no power over his fellow-Presbyters, but that ſtill reſided in the College or body of them. After this when the Apoſtles were taken out of the way, who kept the main power in their own hands of ruling the ſeveral Presbyteries, or delegated ſome to do it (who had a main hand in the planting Churches with the Apoſtles, and thence are called in Scripture ſometimes Fellow-labourers in the Lord, and ſometimes Evangeliſts, and by *Theodoret* Apoſtles, but of a ſecond order) after I ſay, theſe were deceaſed, and the main power left in the Presbyteries, the ſeveral Presbyters enjoying an equal power among themſelves, eſpecially being many in one City, thereby great occaſion was given to many ſchiſms, partly by the bandying of the Presbyters one againſt another, partly by the ſidings of the people with ſome againſt the reſt, partly by the too common uſe of the power of ordinations in Presbyters, by which they were more able to increaſe their own party, by ordaining thoſe who would joyn with them, and by this means to perpetuate ſchiſms in the Church; upon this, when the wiſer and graver ſort conſidered the abuſes following the promiſcuous uſe of this power of ordination;

Exercit. ad Annal. Eccleſ. 15 ſ. 12.

and withal having in their minds the excellent frame of the Government of the Church under the Apoſtles, and their Deputies, and for preventing of future ſchiſms and diviſions among themſelves, they unanimouſly agreed to chooſe one out of their number, who was beſt qualified for the management of ſo great a truſt, and to devolve the exerciſe of the power of ordination and juriſdiction to him; yet ſo as that he act nothing of importance, without the conſent and concurrence of the Presbyters, who were ſtill to be as the Common Council to the Biſhop. This I take to be the true and juſt account of the Original of Epiſcopacy in the Primitive Church according to *Jerome*: Which model of Government thus contrived and framed, ſets forth to us a moſt lively character of that great Wiſdom and Moderation, which then ruled the heads and hearts of the Primitive Chriſtians; and which, when men have ſearched and ſtudyed all other waies, (the abuſes incident to this Government, through the corruptions of men and times being retrenched) will be found the moſt agreeable to the Primitive form, both as aſſerting the due intereſt of the Presbyteries, and allowing the due honour of Epiſcopacy, and by the joynt harmony of both carrying on the affaires of the Church with the greateſt Unity, Concord, and Peace. Which form of Government I cannot ſee how any poſſible reaſon can be produced by either party, why they may not with chearfulneſs embrace it.

Secondly, Another evidence that *Jerome* by *decretum eſt* did not mean an order of the Apoſtles themſelves, is by the words which follow the matter of the decree, *viz. Ut unus de Presbyteris electus ſuperponeretur cæteris*, one choſen not only *out of*, but *by* the Presbyters, ſhould be ſet above the reſt; for ſo *Jerome* muſt be underſtood; for the Apoſtles could not themſelves chooſe out of all Presbyteries one perſon to be ſet above the reſt; and withal the inſtance brought of the Church of *Alexandria* makes it evident to be meant of the chooſing by the Presbyters, and not by the Apoſtles. Beſides, did *Jerome* mean chooſing by the Apoſtles, he would have given ſome intimations of the hand the Apoſtles had in it: which we ſee not in him the leaſt ground for. And as for that pretence, that *Eccleſiæ conſuetudo* is *Apoſtolica traditio*, I have already

already made it appear that *Apoſtolica traditio* in *Jerome*, is nothing elſe but *Conſuetudo Eccleſiæ*, which I ſhall now confirm by a pregnant and unanſwerable teſtimony out of *Jerome* himſelf. *Unaquæque provincia abundet in ſenſu ſuo, & præcepta majorum leges Apoſtolicas arbitretur.* *Let every province abound in its own ſenſe, and account of the ordinances of their Anceſtors as of Apoſtolical Laws.* Nothing could have been ſpoken more fully to open to us what *Jerome* means by Apoſtolical traditions, *viz.* the practice of the Church in former ages, though not coming from the Apoſtles themſelves. Thus we have once more cleared *Jerome* and the truth together; I only wiſh all that are of his judgment for the practice of the Primitive Church, were of his temper for the practice of their own; and while they own not Epiſcopacy as neceſſary by a divine right, yet (being duly moderated, and joyned with Presbyteries) they may embrace it, as not only a lawful, but very uſeful conſtitution in the Church of God. By which we may ſee what an excellent temper may be found out, moſt fully conſonant to the primitive Church for the management of ordinations, and Church power, *viz.* by the Preſidency of the Biſhop and the concurrence of the Presbyterie. For the Top-gallant of Epiſcopacy can never be ſo well managed for the right ſteering the ſhip of the Church, as when it is joyned with the under ſailes of a Moderate Presbyterie. So much ſhall ſuffice to ſpeak here as to the power of ordination, which we have found to be derived from the Synagogue, and the cuſtomes obſerved in it, tranſplanted into the Church.

Hieronym. ep. 20. ad Lucinum.

§. 14. There are yet ſome things remaining as to ordination, wherein the Church did imitate the Synagogue; which will admit of a quick diſpatch, as *the number of the perſons*, which under the Synagogue were alwaies to be at leaſt *three*. This being a fundamental conſtitution among the Jews, as appears by their writings, סמיכה זקנים בשלשה *Ordination of Presbyters by laying on of hands muſt be done by three at the leaſt.* To the ſame purpoſe *Maimonides* ואין סימכין סמיכה שהיא מינוי הזקנים לריינות אלא בשלשה *They did not ordain any by impoſition of hands into a power of judicature without the number of three.* Which number *Peter Gallatinus* and *Poſtellus* conceive neceſſary to be all ordained themſelves;

Miſna & Gemar. tit. Sanhedr. c. 1. Tit. Sanhed. cap. 4 ſ. 3. Arcan. Cath. Veritat. l 4. cap 6.

themſelves; but Mr. *Selden* thinks it was ſufficient if there were but one of that number ſo ordained, who was to be as principal in the action; whoſe opinion is favoured by *Maimonides*, who adds to the words laſt cited out of him: *Of which Three, one at the leaſt muſt be ordained himſelf.* Let us now ſee the parallel in the Church of God. The firſt ſolemn ordination of Elders under the Goſpel, which ſome think to be ſet down as a pattern for the Church to follow, is that we read of, *Acts* 13. 1, 2, 3. Which was performed by three; for we read in the firſt verſe, that there were in the Church at *Antioch*, five Prophets and Teachers, *Barnabas*, *Simeon*, *Lucius*, *Manaen*, and *Saul*; of theſe five, the Holy-Ghoſt ſaid, *that two muſt be ſeparated for the work whereto God had called them*, which were *Barnabas* and *Saul*; there remain only the other three, *Simeon*, *Lucius* and *Manaen* to lay their hands on them, and ordain them to their work. Accordingly thoſe who tell us that *James* was ordained Biſhop of *Jeruſalem*, do mention the three Apoſtles who concurred in the ordaining of him. But moſt remarkable for this purpoſe is the Canon of the *Nicene Council*, wherein this number is ſet down as the regular number for the ordination of Biſhops, without which it was not accounted Canonical. The words are theſe, Ἐπίσκοπον πρεσσήκει μάλιστα μὲν ὑπὸ πάντων αὐτὸν ἐν τῇ ἐπαρχίᾳ καθίστασθαι· εἰ δὲ δυσχερὲς εἴη τὸ τοιοῦτον, ἢ διὰ κατεπείγουσαν ἀνάγκην, ἢ διὰ μῆκος ὁδοῦ, ἐξ ἅπαντος τρεῖς ἐπὶ τὸ αὐτὸ συναγομένους, συμψήφων γινομένων καὶ τῶν ἀπόντων καὶ συντιθεμένων διὰ γραμμάτων, τότε τὴν χειροτονίαν ποιεῖσθαι. *i. e. The ordination of a Biſhop ſhould if poſſible, be performed by all the Biſhops of the Province, which if it cannot eaſily be done, either through ſome urgent neceſſity or the tediouſneſs of the way, three Biſhops at leaſt muſt be there for the doing it, which may be ſufficient for the ordination, if thoſe that are abſent do expreſs their conſent, and by letters approve of the doing of it.* To the ſame purpoſe *Theodoret*, κανόνες πάντας συγκαλεῖσθαι τῆς ἐπαρχίας τοὺς ἐπισκόπους κελεύει, καὶ αὖ πάλιν δίχα τριῶν ἐπισκόπων ἐπισκόπου χειροτονίαν ἀπορρίπτουσι. *The Canons injoin all the Biſhops of the Province to be preſent at the ordination of one: and forbid the ordination of any without three being preſent at it.* Thus we ſee how the conſtitution of the Synagogue was exactly obſerved in the Church, as to the number of the perſons concurring to a regular

De Concord. orbis p 377.

Euſeb. hiſt. Eccleſ. lib 2. *cap.* 1.

Can. 4.

Hiſt. Eccleſ. lib. 5. *c.* 23.

V. Juſtell. not. in Canon. Univerſa Eccleſ p 140.

regular ordination. The laſt thing as to ordination bearing Analogy to the Synagogue, is the *effect of this ordination upon the perſon*, It was the cuſtome of the Jews, to ſpeak of all that were legally ordained among them, ושרתה עליהן שכינה *and the Divine preſence or* Schecinah *reſted upon them*, which ſometimes they called רוחהקודש the *Holy Spirit* ſuppoſed to be in a peculiar manner preſent after this ſolemn ſeparation of them from others in the world, and dedication of them unto God. Anſwerable to this may that of our Saviour be, when he gives his Apoſtles authority to Preach the Goſpel, he doth it in that form of words, *Receive ye the Holy-Ghoſt*; and then gives them the power of binding and looſing, uſually conveyed in the Jewiſh ordinations. *Whoſe ſins ye remit, they are remitted; and whoſe ſins ye retain, they are retained.* So that as under the Law, they by their ordination received a moral faculty or right to exerciſe that power they were ordained to; ſo under the Goſpel all who are ordained according to Goſpel rules, have a right, authority, and power conveyed thereby for the diſpenſing of the Word and Sacraments. Which right and power muſt not be conceived to be an internal indelible character, as the Papiſts groundleſly conceive, but a moral legal right, according to the Laws of Chriſt, becauſe the perſons ordained do not act in it in a natural, but a moral capacity, and ſo the effect muſt be moral and not Phyſical, which they muſt ſuppoſe it to be, who make it a Character, and that indelible. Thus much may ſerve to clear how ordination in all its circumſtances was derived from the Jewiſh Synagogue. Joh. 20. 21. v. 29.

§. 15. The other thing remaining to be ſpoken to, as to the correſpondence of the Church with the Synagogue in its conſtitution, is, what order the Apoſtles did ſettle in the ſeveral Churches of their plantation for the ruling and ordering the affairs of them. Before I come to ſpeak ſo much to it as will be pertinent to our preſent purpoſe & deſign, we may take notice of the ſame name for Church rulers under the Goſpel, which there was under the Synagogue, *viz.* that of *Presbyters*. The name *Presbyter*, as the Heb. זקן though it originally import age, yet by way of connotation it hath been looked on as a name both of dignity and power. Becauſe Wiſdom was ſuppoſed to dwell with a multitude of years, therefore perſons of age

and experience were commonly choſen to places of honour and truſt, and thence the name importing age doth likewiſe carry dignity along with it. Thence we read in the time of *Moſes* how often the *Elders* were gathered together. Thence *Eliezer* is called זקן ביתו *Gen.* 24. 2. which the Greek renders πρεσβύτερος τῆς οἰκίας the *Seignior Domo*, the chief officer in his houſe; and ſo we read *Gen.* 50. 6. זקני ארץ מצרים *the Elders of the Land of Egypt.* So the *Elders of* Midian, the *Elders of* Iſrael, the *Elders of the Cities*; ſo among the Greeks γερουσία for their Council of State; and among the Latins *Senatus*, and our Saxon *Aldermen*, in all importing both age and honour and power together. But among the Jews, in the times of the Apoſtles, it is moſt evident that the name πρεσβύτεροι imported not only dignity but power; the Presbyters among the Jews having a power both of judging and teaching given them by their *Semicha* or ordination. Now under the Goſpel the Apoſtles retaining the name and the manner of ordination, but not conferring that judiciary power by it, which was in uſe among the Jews, to ſhew the difference between the Law and the Goſpel, it was requiſite ſome other name ſhould be given to the Governours of the Church, which ſhould qualifie the importance of the word Presbyters to a ſenſe proper to a Goſpel ſtate; Which was the original of giving the name ἐπίσκοποι to the Governours of the Church under the Goſpel: A name importing duty more then honour, and not a title above *Presbyter*, but rather uſed by way of diminution and qualification of the power implyed in the name of *Presbyter.* Therefore to ſhew what kind of power and duty the name Presbyter imported in the Church, the office conveyed by that name is call d ἐπισκοπή, and Presbyters are ſaid ἐπισκοπεῖν 1 *Pet.* 5. 2. where it is oppoſed to that κατακυριεύειν τῶν κλήρων, *Lording it over the people*, as was the cuſtome of the Presbyters among the Jews. So that if we determine things by importance of words and things ſignified by them, the power of ordination was proper to the name πρεσβύτερος and not ἐπίσκοπος, becauſe the former name did then import that power, and not the latter. We come therefore from the names to the things then implyed by them, and the offices eſtabliſhed by the Apoſtles for the ruling of Churches. But my deſign being not to diſpute the arguments of either party (*viz.* thoſe who conceive

Exod. 3. 16. 18. 4. 29. 12. 21. 17. 5. 18. 12. &c.

ceive the Apoſtles ſetled the government of the Church in an abſolute parity; or elſe by ſuperiority and ſubordination among the ſettled officers of the Church,) but to lay down thoſe principles which may equally concern both, in order to Accommodation: I find not my ſelf at preſent concerned to debate what is brought on either ſide for the maintaining their particular opinion any further then thereby the Apoſtles intentions are brought to have been to bind all future Churches to obſerve that individual form they conceived was in practice then. All that I have to ſay then concerning the courſe taken by the Apoſtles in ſetling the Government of the Churches, (under which will be contained the full reſolution of what I promiſed, as to the correſpondency to the Synagogue in the Government of Churches) lies in theſe three Propoſitions, which I now ſhall endeavour to clear, *viz. That neither can we have that certainty of Apoſtolical practice which is neceſſary to conſtitute a Divine right; nor,* Secondly, *is it probable that the Apoſtles did tye themſelves up to any one fixed courſe in modelling Churches; nor,* Thirdly, *if they did, doth it neceſſarily follow that we muſt obſerve the ſame.* If theſe three conſiderations be fully cleared, we may ſee to how little purpoſe it is to diſpute the ſignificancy and importance of words and names as uſed in Scripture, which hitherto the main quarrel hath been about. I therefore begin with the *firſt* of theſe, *That we cannot arrive to ſuch an abſolute certainty what courſe the Apoſtles took in Governing Churches as to infer from thence the only divine right of that one form which the ſeveral parties imagine comes the neareſt to it.* This I ſhall make out from theſe following arguments. *Firſt*, from the equivalency of the names, and the doubtfulneſs of their ſignification from which the Form of Government uſed in the New Teſtament ſhould be determined. That the form of Government muſt be derived from the importance of the names of Biſhop and Presbyter, is hotly pleaded on both ſides. But if there can be no certain way found out whereby to come to a determination of what the certain ſenſe of thoſe names in Scripture, we are never like to come to any certain knowledge of the things ſignified by thoſe names. Now there is a fourfould equivalency

of

of the names Biſhop and Presbyter taken notice of. 1. That both ſhould ſignifie the ſame thing, *viz.* a Preſbyter in the modern notion, *i. e.* one acting in a parity with others for the Government of the Church. And this ſenſe is evidently aſſerted by *Theodoret*, ὁπισκόπους τὸς πρεσβυτέρους καλεῖ· ἄλλως τε δὲ δ῀ὸντε ἦν πολλὰς ἐπισκόπους μίαν πόλιν ποιμαίνειν. *The Apoſtle* Acts 20. 28. Phil. 1. 1. Titus 1. 5. 1 Tim. 3. 1. *doth by Biſhops mean nothing elſe but Presbyters; otherwiſe it were impoſſible for more Biſhops to govern one City.* 2. That both of them ſhould ſignifie promiſcuouſly ſometimes a Biſhop, and ſometimes a Presbyter: ſo *Chryſoſtome*, and after him *Oecumenius* and *Theophylact* in Phil. 1. ἐπισκόπους τὸς πρεσβυτέρους καλεῖ, πότε γὸ ἐποιησάμην τὶς ὀνόμασι· and in *Act.* 20. 28. ἐπειδὴ τὸς πολλὸς λανθάνει ἡ συνήθεια μάλιστα τῆς γραφῆς διαθήκης τὸς ἐπισκόπους πρεσβυτέρους ὀνομάζοντα, καὶ τὸς πρεσβυτέρους ἐπισκόπους, σημαντέον ἐνταῦθα, καὶ ἐκ τῆς πρὸς Τίτον ἐπιστολῆς, ἔνθα καὶ πρὸς Φιλιππησίους, καὶ ἐκ τῆς πρὸς Τιμόθεον πρώτης. Where they aſſert the Community and promiſcuous uſe of the names in Scripture; ſo that a Biſhop is ſometimes called a Presbyter, and a Preſbyter ſometimes called a Biſhop. 3. That the name Biſhop, alwayes imports a ſingular Biſhop; but the name Presbyter is taken promiſcuouſly both for Biſhop and Presbyter. 4. That both the names Biſhop and Presbyter, do import only one thing in Scripture, *viz.* the office of a ſingular Biſhop in every Church; which ſenſe, though a ſtranger to antiquity, is above all other embraced by a late very learned man, who hath endeavoured by ſet diſcourſes to reconcile all the places of Scripture where the names occur to this ſenſe, but with what ſucceſs it is not here a place to examine. By this variety of interpretation of the equivalency of the names of Biſhop and Presbyter, we may ſee how far the argument from the promiſcuous uſe of the names is from the controverſie in hand; unleſs ſome evident arguments be withal brought, that the Equivalency of the words cannot poſſibly be meant in any other ſenſe, then that which they contend for. Equivocal words can never of themſelves determine what ſenſe they are to be taken in, becauſe they are equivocal, and ſo admit of different ſenſes. And he that from the uſe of an equivocal word would infer the neceſſity only of

Diſſert. de jure Epiſ 3. cp 6. *Vindicat. cap.* 2. *ſ* 1. *Theodoret. in* 1 Tim. 3. 1.

of one ſenſe, when the word is common to many, unleſs ſome other argument be brought inforcing that neceſſity, will be ſo far from perſwading others to the ſame belief, that he will only betray the weakneſs and ſhortneſs of his own reaſon. When *Auguſtus* would be called only *Princeps Senatus*, could any one infer from thence, that certainly he was only the πρωτος in the Senate, or elſe that he had ſuperiority of power over the Senate, when that title might be indifferent to either of thoſe ſenſes? All that can be infer'd from the promiſcuous ſenſe of the words, is that they may be underſtood only in this ſenſe; but it muſt be proved that they can be underſtood in no other ſenſe, before any one particular form of Government as neceſſary can be interred from the uſe of them. If notwithſtanding the promiſcuous uſe of the name Biſhop and Presbyter, either that Presbyter may mean a Biſhop, or that Biſhop may mean a Presbyter, or be ſometimes uſed for one, ſometimes for the other; what ground can there be laid in the equivalency of the words which can infer the only divine right of the form of Government couched in any one of thoſe ſenſes? So likewiſe it is in the titles of *Angels of the Churches*; If the name Angel imports no incongruity, though taken only for the שליח צבור in the Jewiſh Synagogue the publick Miniſter of the Synagogue, called the *Angel of the Congregation*, what power can be inferred from thence, any more then ſuch an officer was inveſted with? Again if the πρωτος or Preſident of the Aſſembly of Presbyters, might be ſo called: what ſuperiority can be deduced thence, any more then ſuch a one enjoys? Nay if in the Prophetical ſtile, an unity may be ſet down by way of repreſentation of a multitude: what evidence can be brought from the name, that by it ſome one particular perſon muſt be underſtood? And by this means *Timothy* may avoid being charged *with leaving his firſt Love*, which he muſt of neceſſity be, by thoſe that make him the Angel of the Church of *Epheſus* at the time of writing theſe Epiſtles. Neither is this any ways ſolved by the Anſwer given, that the name Angel is repreſentative of the whole Church, and ſo there is no neceſſity, the Angel ſhould be perſonally guilty of it. For *firſt*, it ſeems ſtrange that the

Tacitus hiſt. lib. 1.

Rev. 2. 4.

whole diffuſive body of the Church ſhould be charged with a crime by the name of the *Angel*, and he that is particularly meant by that name ſhould be free from it. As if a Prince ſhould charge the Major of a Corporation as guilty of rebellion, and by it ſhould only mean that the Corporation was guilty, but the Major was innocent himſelf. *Secondly*, if many things in the Epiſtles be directed to the Angel, but yet ſo as to concern the whole body, then of neceſſity the Angel muſt be taken as repreſentative of the body; and then why may not the word Angel be taken only by way of repreſentation of the body its ſelf, either of the whole Church, or which is far more probable, of the *Conſeſſus* or order of Presbyters in that Church? We ſee what miſerably unconcluding arguments thoſe are which are brought for any form of Government from Metaphorical or Ambiguous expreſſions, or names promiſcuouſly uſed, which may be interpreted to different ſenſes. What certainty then can any rational man find what the form of Government was in the Primitive times, when only thoſe arguments are uſed which may be equally accommodated to different forms? And without ſuch a *certainty* with what confidence can men ſpeak of a Divine right of any one particular form? *Secondly*, the uncertainty of the Primitive form is argued, from the places moſt in controverſie about the form of Government; becauſe that without any apparent incongruity they may be underſtood of either of the different forms. Which I ſhall make out by going through the ſeveral places. The Controverſie then on foot is this, (as it is of late ſtated) whether the Churches in the Primitive times were governed by a Biſhop only and Deacons, or by a Colledge of Presbyters acting in a parity of power? The places inſiſted on, on both ſides are theſe, *Act.* 11.30. *Acts* 14.23. *Acts* 28.17. 1 *Tim.* 3.1 *Titus* 1.5. the thing in controverſie is, whether Biſhops with *Deacons*, or Presbyters in a parity of power, are underſtood in theſe places? I begin then in order with *Acts* 11.30. the firſt place wherein the name πρεσβύτερος occurs, as applied to the officers of the Chriſtian Church. Thoſe that are for a College of Presbyters, underſtand by theſe Elders thoſe of the Church of *Jeruſalem*, who did govern the Affairs of that Church;

Church; those that are for a ſolitary Epiſcopacy by theſe Elders underſtand not the local Elders of *Jeruſalem*, but the ſeveral Biſhops of the Churches of *Judea*. Let us now ſee whether there be any evidence from the place to determine which of theſe two muſt neceſſarily be underſtood. There is nothing at all mentioned in the place, but only that *upon the occaſion of the Famine they ſent relief to the Brethren of* Judea, *and ſent it to the Elders by the hands of* Barnabas *and* Saul; Which might either be to the Elders of the Church at *Jeruſalem* to be diſtributed to the ſeveral Churches of *Judea*, or elſe to the ſeveral Paſtors of thoſe Churches either collectively as met together at *Jeruſalem* to receive this contribution, or diſtributively as they were in their ſeveral Churches. The relief might be ſent to all the Brethren of *Judea*, and yet either be conveyed to the particular Elders of *Jeruſalem* to ſend it abroad, or to the ſeveral Elders of the Churches within the circuit of *Judea*. But other places are brought by both parties for their particular ſenſe in this; As *Acts* 15. 6. here indeed mention is made of the Apoſtles and Elders together at *Jeruſalem*, but nothing expreſſed whereby we may know whether the fixed Elders of that Church, or elſe the Elders of all the Churches of *Judea* aſſembled upon this ſolemn occaſion of the Council of the Apoſtles there. So *Acts* 21. 11. when *Paul* went in to *James*, it is ſaid that *All the Elders were preſent*. No more certainty here neither; for either they might be the fixed officers of that Church, meeting with *James* upon *Pauls* coming; or elſe they might be the Elders of the ſeveral Churches of *Judea* met together, not to take account of *Pauls* Miniſtery (as ſome improbably conjecture,) but aſſembled together there at the Feaſt of Pentecoſt, *at which* Paul came to *Jeruſalem*, which is more probable upon the account of what we read, *v.* 20. of the *many thouſand believing Jews then at* Jeruſalem *who were zealous of the Law:* who in all probability were the believing Jews of *Judea*, who did yet obſerve the annual Feſtivals of *Jeruſalem*, and ſo moſt likely their ſeveral Elders might go up together with them, and there be with *James* at *Pauls* coming in to him. No certainty then of the Church of *Jeruſalem* how that was governed; whether by

Apoſtles themſelves, or other unfixed Elders, or only by *James* who exerciſed his Apoſtle-ſhip moſt there, and thence afterwards called the Biſhop of *Jeruſalem.* We proceed therefore to the government of other Churches; and the next place is, *Acts* 14. 23. *And when they had ordained them Elders in every Church.* Here ſome plead for a plurality of Elders as fixed in every Church; but it is moſt evident, that the words hold true if there was but one in each Church. For κατ' ἐκκλησίαν here and κατὰ πόλιν *Titus* 1. 5. (for both places will admit of the ſame anſwer) doth ſignifie no more then *oppidatim*, or *Eccleſiatim*, as κατ' βαθμὸν *gradatim*, κατ' ἄνδρα, *viritim*, κατ' μέρος *particulatim*, κατ' κώμην *vicatim.* No more then is imported then that Elders were ordained, *City by City*, or *Church by Church*, as we would render it, and thereby nothing is expreſſed but that no Church wanted an Elder, but not that every Church had more Elders then one. But the place moſt controverted is, *Acts* 20. 17. *And from Miletus, Paul ſent to Epheſus, and called the Elders of the Church.* Thoſe that ſay theſe Elders were thoſe only of the Church of *Epheſus*, ſeem to be moſt favoured by the article τῆς ἐκκλησίας as ſeeming to apply it to that particular Church of *Epheſus*, and by the *Syriack verſion* which renders it, *Venire fecit Presbyteros Eccleſiæ Epheſi*; to the ſame purpoſe likewiſe *Hierome* underſtands it. On the contrary thoſe that ſay that theſe Elders were thoſe of the ſeveral Churches of *Aſia*, are favoured by *v.* 18. *that from the firſt day he came into* Aſia, *he had been with them at all ſeaſons.* Now *Paul* did not remain all the time at *Epheſus*, as appears by *Acts* 19. 10, 22, 26. where he is ſaid to preach the word abroad in *Aſia* and ſo in probability Churches were planted, and Rulers ſetled in them; and that theſe were at this time called to *Miletus* by *Paul*, is the expreſs affirmation of *Irenæus*; *In Mileto enim convocatis Epiſcopis & Presbyteris, qui erant ab Epheſo & à reliquis proximis civitatibus, quoniam ipſe feſtinavit Hieroſolymis Pentecoſtem agere.* Here is nothing then either in the text or Antiquity, that doth abſolutely determine whence theſe Elders came; but there may be a probability on either ſide; and ſo no certainty or neceſſity of underſtanding it either way. And

Adverſ. hæreſ. l 1. *cap.* 14.

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ſo for the other places in *Timothy* and *Titus*, it is certain the care of thoſe perſons did extend to many places; and therefore the Elders or Biſhops made by them are not neceſſarily to be underſtood of a Plurality of Elders in one place. Thus we ſee that there is no incongruity in applying either of theſe two forms to the ſenſe of the places in Queſtion. I diſpute not which is the true, or at leaſt more probable ſenſe, but that we can find nothing in the ſeveral places which doth neceſſarily determine how they are to be underſtood as to one particular form of Government, which is the thing I now aim at the proving of. And if neither form be repugnant to the ſenſe of theſe places, how can any one be neceſſarily inferred from them? As if the ſeveral motions and *phænomena* of the heavens may be with equal probability explained according to the *Ptolemaick* or *Copernican* Hypotheſis, *viz.* about the reſt or motion of the earth; then it neceſſarily follows, that from thoſe *Phænomena* no argument can be drawn evincing the neceſſity of the one *Hypotheſis*, and overturning the probability of the other. If that great wonder of Nature the flux and reflux of the Sea, might with equal congruity be ſolved according to the different opinions, of its being cauſed by Subterraneous fires, or from the motion of the Moon, or the depreſſion of the Lunar *vortex* or (which to me is far the moſt probable) by a motion of conſent of the Sea with all the other great bodies of the world; we ſhould find no neceſſity at all of entertaining one opinion above another, but to look upon all as probable, and none as certain. So likewiſe for the compoſition and motion of all natural bodies, the ſeveral *Hypotheſes* of the old and new *Philoſophy* implying no apparent incongruity to nature, do make it appear that all or any of them, may be embraced as Ingenious *Romances* in Philoſophy (as they are no more) but that none of them are the certain truth; or can be made appear ſo to be to the minds of men. So it is in controverſies in *Theology*, If the matter propounded to be believed, may as to the truth and ſubſtance of it be equally believed under different ways of explication, then there is no neceſſity as to the believing the truth of the thing, to believe it under ſuch an explication

of it, more then under another. As for inſtance, in the caſe of Chriſt's Deſcent εἰς ᾅδης, if I may truly believe that Chriſt did deſcend εἰς ᾅδης, whether by that we underſtand the ſtate of the Dead, or a local Deſcent to hell, then there is no neceſſity in order to the belief of the ſubſtance of that article of the ancient Creed (called the Apoſtles) under that reſtriction of a local Deſcent. By this time I ſuppoſe it is clear, that if theſe places of Scripture may be underſtood in theſe two different ſenſes of the word *Elders*, *viz.* either taken collectively in one City, or diſtributively in many, then there is no certainty which of theſe two ſenſes muſt be embraced, and ſo the form of Church Government, which muſt be thence derived, is left ſtill at as great uncertainty as ever, notwithſtanding theſe places of Scripture brought to demonſtrate it; ὅπερ ἔδει δεῖξαι.

§. 16. *Thirdly*, the uncertainty of the Primitive Form of Government will be made appear from the *Defectiveneſs*, *Ambiguity*, *Partiality* and *Repugnancy* of the records of the ſucceeding Ages which ſhould inform us what Apoſtolical practice was. When men are by the force of the former arguments driven off from ſcripture, then they preſently run to take Sanctuary in the Records of ſucceeding Ages to the Apoſtles. Thus *Eſtius* no mean School-man, handling this very Queſtion of the difference of Biſhops and Presbyters, very fairly quits the Scriptures, and betakes himſelf to other weapons. *Quod autem jure divino ſint Epiſcopi Presbyteris ſuperiores, etſi non ita clarum eſt è ſacris literis, aliunde tamen ſatis efficaciter probari poteſt.* Ingenuouſly ſaid however; but all the difficulty is how a *Jus divinum* ſhould be proved when men leave the Scriptures, which makes others ſo loth to leave this hold; although they do it in effect, when they call in the help of ſucceeding Ages to make the ſcripture ſpeak plain for them. We follow therefore the ſcent of the Game into this wood of Antiquity, wherein it will be eaſier to loſe our ſelves then to find that which we are upon the purſuit of, a *Jus Divinum* of any one particular form of Government. I handle now only the Teſtimony of Antiquity (for the practice of it will call for a particular diſcourſe afterwards) and

In Sentent. lib. 4. diſt. 4. ſect. 25.

and herein I ſhall endeavour to ſhew the incompetency of this Teſtimony as to the ſhewing what certain form of Church Government was practiſed by the Apoſtles; for that I ſhall make Uſe of that fourfold argument from the *defectiveneſs* of this Teſtimony, from the *Ambiguity* of it, from the *Partiality* of it, and from the *Repugnancy* of it to its ſelf. *Firſt*, then for the defectiveneſs of the teſtimony of Antiquity in reference to the ſhewing what certain form the Apoſtles obſerved in ſetling the Government of Churches; A threefold defectiveneſs I obſerve in it, as to *places*, as to *times*, as to *perſons*. *Firſt* defectiveneſs as to *places*; for him that would be ſatisfied, what courſe the Apoſtles took for governing Churches, it would be very requiſite to obſerve the uniformity of the Apoſtles practice in all Churches of their plantation. And if but one place varied, it were enough to overthrow the neceſſity of any one form of Government, becauſe thereby it would be evident, that they obſerved no certain or conſtant courſe, nor did they look upon themſelves as obliged ſo to do. Now the ground of the neceſſity of ſuch an univerſal Teſtimony as to places, is this; We have already made it appear that there is no Law of Chriſt abſolutely commanding one form, and forbidding all other. We have no way then left to know whether the Apoſtles did look upon themſelves as bound to ſettle one form, but by their practice; this practice muſt be certain and uniform in them; this uniformity muſt be made known to us by ſome unqueſtionable way: the Scriptures they are very ſilent in it, mentioning very little more then *Pauls* practice, nor that fully and clearly; therefore we muſt gather it from Antiquity, and the records of following ages: if theſe now fall ſhort of our expectation, and cannot give us an account of what was done by the Apoſtles in the ſeveral Churches planted by them, how is it poſſible we ſhould attain any certainty of what the Apoſtles practice was? Now that antiquity is ſo defective as to places, will appear from the general ſilence as to the Churches planted by many of the Apoſtles. Granting the truth of what *Euſebius tells us*, That *Thomas* went into *Parthia*,

Parthia, *Andrew* into *Scythia*, *John* into the leſſer *Aſia*, *Peter* to the Jews in *Pontus*, *Galatia*, *Bythinia*, *Cappadocia*, *Aſia*; beſides what we read in Scripture of *Paul*, what a pitiful ſhort account have we here given in, of all the Apoſtles travels, and their ſeveral fellow-labourers! And for all theſe, little or nothing ſpoke of the way they took in ſetling the Churches by them planted. Who is it will undertake to tell us what courſe *Andrew* took in *Scythia*, in governing Churches? If we believe the records of after ages, there was but one Biſhop, *viz.* of *Tomis* for the whole Countrey; how different is this from the pretended courſe of *Paul* ſetting up a ſingle Biſhop in every City? where do we read of the Presbyteries ſetled by *Thomas* in *Parthia* or the *Indies*? what courſe *Philip*, *Bartholomew*, *Matthew*, *Simon Zelotes*, *Matthias* took: might not they for any thing we know, ſettle another kind of Government from what we read *Paul*, *Peter* or *John* did, unleſs we had ſome evidence that they were all bound to obſerve the ſame? Nay, what evidence have we what courſe *Peter* took in the Chruches of the circumciſion? Whether he left them to their Synagogue way or altered it, and how and wherein? Theſe things ſhould be made appear, to give men a certainty of the way and courſe the Apoſtles did obſerve in the ſetling Churches by them planted, But inſtead of this, we have a general ſilence in antiquity, and nothing but the forgeries of latter ages to ſupply the vacuity: whereby they filled up empty places as *Plutarch* expreſſeth it, as Geographers do maps with ſome fabulous creatures of their own invention. Here is work now for a *Nicephorus Calliſthus*, a *Simeon Metaphraſtes*, the very *Jacobus de Voragine* of the Greek Church (as one well calls him) thoſe hiſtorical Tinkers, that think to mend a hole where they find it, and make three inſtead of it. This is the firſt defect in Antiquity as to places. The *ſecond* is as obſervable as to *times*; and what is moſt conſiderable: Antiquity is moſt defective where it is moſt uſeful, *viz.* in the time immediately after the Apoſtles, which muſt have been moſt helpful to us in this inquiry. For who dare with confidence believe the conjectures of *Euſebius* at three hundred

Hiſt. Eccleſ. lib. 3. c. 1.

Plut. in Theſeo.

dred years distance from Apostolical times, when he hath no other testimony to vouch, but the *Hypotyposes* of an uncertain *Clement* (certainly not he of *Alexandria*, if *Jos. Scaliger* may be credited) and the Commentaries of *Hegesippus*, whose relations and authority are as questionable as many of the reports of *Eusebius* himself are in reference to those elder times: for which I need no other Testimony, but *Eusebius* in a place enough of its self to blast the whole credit of antiquity, as to the matter now in debate. For speaking of *Paul* and *Peter*, and the Churches by them planted, and coming to enquire after their successors, he makes this very ingenuous confession. Ὅσοι δ' τότων, καὶ πηνίκα γνήσιοι ζηλωταὶ γεγόνοτες τῆς ἐκείνων ἰδρυθείσας ἐκκλησίας παραδεδώκασιν ἐκκλησίαις, ῥάδιον εἰπεῖν· μὴ ὅτι γε ὅσους ἂν τις ἐξ ἀνάγκης Παύλου φωνῶν ἀνελέξατο. *Eccl. Hist. l. 3. c. 4.* Say you so? *Is it so hard a matter to find out who succeeded the Apostles in the Churches planted by them, unless it be those mentioned in the writings of* Paul? What becomes then of our unquestionable line of succession of the Bishops of several Churches, and the large Diagramms made of the Apostolical Churches with every ones name set down in his order, as if the Writer had been *Clarenceaux* to the Apostles themselves? Is it come to this at last that we have nothing certain, but what we have in Scriptures? and must then the Tradition of the Church be our rule to interpret Scriptures by? An excellent way to find out the truth doubtless, to bend the rule to the crooked stick, to make the Judge stand to the opinion of his Lacquey, what sentence he shall pass upon the cause in question: to make Scripture stand cap in hand to tradition to know whether it may have leave to speak or no? Are all the great outcries of Apostolical tradition, of personal succession, of unquestionable records resolved at last into the Scripture its self by him from whom all these long pedegrees are fetched? then let succession know its place, and learn to vaile bonnet to the Scriptures? And withal let men take heed of over-reaching themselves when they would bring down so large a Catalogue of single Bishops from the first and purest times of the Church? for it will be hard for others to believe them, when *Eusebius* professeth it is so hard to find them. Well might *Scaliger* then complain that the Interval from the last chapter of the Acts to the middle

of *Trajan*, in which time *Quadratus* and *Ignatius* began to flouriſh, was *tempus ἄδηλον*, as *Varro* ſpeaks, a meer Chaos of time filled up with the rude conceptions of *Papias*, *Hermes* and others, who like *Hannibal* when they could not find a way through, would make one either by force or fraud. But yet *Thirdly*, here is another defect conſequent to that of time, which is that of perſons; ariſing not only from a defect of records, the *Diptyches* of the Church being loſt, which would have acquainted us with the times of ſuffering of the ſeveral Martyrs (by them called their Natalitia) at which times their ſeveral names were inrouled in theſe Martyrologies, which ſome as *Junius* obſerves, have ignorantly miſtaken for the time of their being made Biſhops of the places wherein their names were entred, as *Anacletus*, *Cletus*, and *Clemens* at *Rome*; I ſay the defect as to perſons not only ariſeth hence, but becauſe the Chriſtians were ſo much haraſſed with perſecutions, that they could not have that leiſure then to write thoſe things which the leiſure and peace of our ages have made us ſo eagerly inquiſitive after. Hence even the Martyrologies are ſo full ſtuffed with Fables, witneſs one for all, the famous Legend of *Catharina* who ſuffered, ſay they, in *Diocletians* time. And truly the ſtory of *Ignatius* (as much as it is defended with his Epiſtles) doth not ſeem to be any of the moſt probable. For wherefore ſhould *Ignatius* of all others be brought to *Rome* to ſuffer, when the *Proconſuls* and the *Præſides provinciarum* did every where in time of perſecution execute their power in puniſhing Chriſtians at their own tribunals, without ſending them ſo long a journey to *Rome* to be Martyred there? And how came *Ignatius* to make ſo many and ſuch ſtrange excurſions as he did by the ſtory, if the ſouldiers that were his guard were ſo cruel to him, as he complains they were? Now all thoſe uncertain and fabulous narrations as to perſons then, ariſing from want of ſufficient records made at thoſe times, make it more evident how incompetent a Judge Antiquity is as to the certainty of things done in Apoſtolical times. If we ſhould only ſpeak of the Fabulous Legends of the firſt planters of Churches in theſe Weſtern parts, we need no farther evidence of the great defect of Antiquity as to perſons. Not to go

Proleg in Chron. Euſeb.

Cont. 3. l. 2. c. 5. not. 18.

V. Chamier. Tom. 1. l. 2. cap. 16.

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out of our own nation; Whence come the ſtories of *Peter*, *James*, *Paul*, *Simon*, *Ariſtobulus*, beſides *Joſeph* of *Arimathea*, and his company, all being preachers of the Goſpel, and planters of Churches here, but only from the great defect in Antiquity as to the Records of Perſons imployed in the ſeveral places for preaching the Goſpel? Thus much to ſhew the defectiveneſs as to the records of antiquity, and thereby the incompetency of them for being a way to find out the certain courſe the Apoſtles took in ſetling and Governing Churches by them planted.

The next thing ſhewing the incompetency of the records of the Church for deciding the certain form of Church Government in the Apoſtles times, is, the *Ambiguity* of the Teſtimony given by thoſe records. A Teſtimony ſufficient to decide a controverſie, muſt be plain and evident, and muſt ſpeak full and home to the caſe under debate. Now if I make it appear that Antiquity doth not ſo; nothing then can be evident from thence, but that we are left to as great uncertainties as before. The matter in controverſie is, whether any in a ſuperiour order to Presbyters were inſtituted by the Apoſtles themſelves for the regulating of the Churches by them planted? for the proving of which, *three* things are the moſt inſiſted on; *firſt*, the Perſonal ſucceſſion of ſome perſons to the Apoſtles in Churches by them planted; *Secondly*, the appropriating the name ἐπίσκοποι to Biſhops in a ſuperiour order to Presbyters, after the Apoſtles deceaſe; *Thirdly*, the Churches owning the order of Epiſcopacy as of Divine inſtitution. If now we can make theſe three things evident; *Firſt*, *that perſonal ſucceſſion might be without ſuch ſuperiority of order*; *Secondly*, *that the names of Biſhop and Presbyters were common after the diſtinction between them was introduced*; and *Thirdly*, *that the Church did not own Epiſcopacy as a Divine inſtitution*, *but Eccleſiaſtical*; *and thoſe who ſeem to ſpeak moſt of it*, *do mean no more*; I ſhall ſuppoſe enough done to invalidate the Teſtimony of Antiquity as to the matter in hand. *Firſt*, then for the matter of *ſucceſſion in Apoſtolical Churches*, I ſhall lay down theſe four things, to evince that the argument drawn from thence, cannot fully clear the certain courſe §. 17.

which the Apoſtles took in ſettling the Government of Churches. *Firſt, that the ſucceſſion might be only as to different* degree, *and not as to a different* order; where the ſucceſſion is clear, nothing poſſibly can be inferred from it beyond this. For bare ſucceſſion implies no more then that there was one in thoſe Churches ſucceeding the Apoſtles, from whom afterwards the ſucceſſion was derived. Now then, ſuppoſing only at preſent, that it was the cuſtome in all the Churches at that time to be ruled by a colledge of Presbyters acting in a parity of power, and among theſe, one to ſit as the *Naſi* in the *Sanhedrin*, having a priority of order above the reſt in place, without any ſuperiority of power over his Colleagues; will not the matter of ſucceſſion be clear and evident enough notwithſtanding this? *Succeſſion* of *perſons* was the thing inquired for, and not a *ſucceſſion* of *power*; if therefore thoſe that would prove a ſucceſſion of Apoſtolical power, can only produce a liſt and Catalogue of names in Apoſtolical Churches, without any evidence of what power they had, they apparently fail of proving the thing in queſtion, which is not, whether there might not be found out a liſt of perſons in many Churches derived from the Apoſtles times; but whether thoſe perſons did enjoy by way of peculiarity and appropriation to themſelves, that power; which the Apoſtles had over many Churches while they lived? Now this, the meer ſucceſſion will never prove which will beſt appear by ſome Parallel inſtances. At *Athens* after they grew weary of their ten years Ἄρχοντες, the people choſe nine every year to govern the affaires of the Common-wealth; theſe nine enjoyed a Parity of power among themſelves, and therefore had a place where they conſulted together about the matters of State, which was called Θεσμοθέτιον, as * *Demoſthenes*, *Plutarch* and others tell us: Now although they enjoyed this equality of power, yet one of them had greater dignity then the reſt, and therefore was called Ἄρχων by way of excellency, and his name was only ſet in the publick Records of that year, and therefore was called Ἄρχων ἐπώνυμος, and the year was reckoned from him, as * *Pauſanius* and *Julius Pollux* inform us. Here we ſee now the ſucceſſion clear in one ſingle perſon and

* *Demoſth. in Midiam. Plut. in Peril. & vit. Niciæ. V. Meurſium de Archont. Athen. l. 1. c. 9. Ennium de Ep. Ath.*

* *Pauſ. in Lacon. Pollux. Onom. lib. 8. c. 9.*

and yet no ſuperiority of power in him over his Colleagues: The like may be obſerved among the *Ephori* and *Bidiæi* at *Sparta*; the number of the *Ephori* was alwaies five from their firſt inſtitution by *Lycurgus*, and not nine (as the Greek Etymologiſt imagines) theſe enjoyed likewiſe a parity of power among them; but among theſe to give name to the year, they made choice of one who was called ἐπώνυμος here to, as the ἄρχων at *Athens*, and him they called πρῶτον τῶν ἐφόρων, as *Plutarch* tells us. Where we have the very name πρῶτος attributed to him that had only this primacy of order without any ſuperiority of power, which is uſed by *Juſtin Martyr* of the Preſident of Aſſemblies among the Chriſtians. Now from hence we may evidently ſee that meer ſucceſſion of ſome ſingle perſons named above the reſt, in the ſucceſſions in Apoſtolical Churches, cannot inforce any ſuperiority of power in the perſons ſo named, above others ſuppoſed to be as joint-Governours of the Churches with them. I diſpute not whether it were ſo or no; whether according to *Blondel* the ſucceſſion was from the πρωτοχειροτονηθεὶς, or whether by choice as at *Alexandria*; but I only now ſhew that this argument from ſucceſſion is weak, and proves not at all the certainty of the power thoſe perſons enjoyed. *Secondly, This ſucceſſion is not ſo evident and convincing in all places as it ought to be, to demonſtrate the thing intended.* It is not enough to ſhew a liſt of ſome perſons in the great Churches of *Jeruſalem*, *Antioch*, *Rome*, and *Alexandria*, (although none of theſe be unqueſtionable) but it ſhould be produced at *Philippi*, *Corinth*, *Cæſarea*, and in all the ſeven Churches of *Aſia* (and not only at *Epheſus*) and ſo likewiſe in *Creet* ſome ſucceeding *Titus*, and not think men will be ſatisfied with the naming a Biſhop of *Gortyna* ſo long after him. But as I ſaid before, in none of the Churches moſt ſpoken of is the ſucceſſion ſo clear as is neceſſary. For at *Jeruſalem* it ſeems ſomewhat ſtrange how fifteen Biſhops of the circumciſion ſhould be crouded into ſo narrow a room as they are, ſo that many of them could not have above two years time to rule in the Church. And it would bear an inquiry where the ſeat of the Biſhops of *Jeruſalem* was from the time of the deſtruction of the City by *Titus*, (when the walls

Pauſ. Lacon. V. Nic. Cragium de Rep. Laced. lib 2. c. 4.

were laid even with the Ground by *Muſonius*) till the time of *Adrian*; for till that time the ſucceſſion of the Biſhops of the circumciſion continues. For *Antioch*, it is far from being agreed, whether *Evodius* or *Ignatius* ſucceeded *Peter*, or *Paul*, or the one *Peter* and the other *Paul*; much leſs at *Rome*, whether *Cletus*, *Anacletus*, or *Clemens* are to be reckon'd firſt (but of theſe afterwards) At *Alexandria* where the ſucceſſion runs cleareſt, the original of the power is imputed to the choice of Presbyters, and to no divine inſtitution. But at *Epheſus* the ſucceſſion of Biſhops from *Timothy* is pleaded with the greateſt confidence, and the teſtimony brought for it is from *Leontius* Biſhop of *Magneſia* in the Council of *Chalcedon*, whoſe words are theſe ἀπὸ τοῦ ἁγίου Τιμοθέου μέχρι τῆς ἡμέρας ταύτης ἑπτὰ καὶ εἴκοσι ἐπίσκοποι ἐγένοντο· πάντες ἐν ἐφέσῳ ἐχειροτονήθησαν. *From* Timothy *to this day there hath been a ſucceſſion of ſeven and twenty Biſhops, all of them ordained in* Epheſus. I ſhall not inſiſt ſo much on the incompetency of this ſingle witneſs to paſs a judgement upon a thing of that nature, at the diſtance of four hundred years; in which time records being loſt, and Biſhops being after ſetled there, no doubt they would begin their account from *Timothy*, becauſe of his imployment there once for ſettling the Churches thereabout. And to that end we may obſerve that in the after-times of the Church, they never met with any of the Apoſtles, or Evangeliſts in any place, but they preſently made them Biſhops of that place. So *Philip* is made Biſhop of *Trallis*, *Ananias* Biſhop of *Damaſcus*, *Nicolaus* Biſhop of *Samaria*, *Barnabas* Biſhop of *Milan*, *Silas* Biſhop of *Corinth*, *Sylvanus* of *Theſſalonica*, *Creſcens* of *Chalcedon*, *Andreas* of *Byzantium*, and upon the ſame grounds *Peter* Biſhop of *Rome*. No wonder then if *Leontius* make *Timothy* Biſhop of *Epheſus*, and derive the ſucceſſion down from him. But again, this was not an act of the Council its ſelf, but only of one ſingle perſon delivering his private opinion in it; and that which is moſt obſervable, is, that in the thing mainly inſiſted on by *Leontius*, he was contradicted in the face of the whole Council, by *Philip* a Preſbyter of *Conſtantinople*. For the caſe of *Baſſianus* and *Stephen* about their violent intruſion into the Biſhoprick of *Epheſus*, being diſcuſſed before the Council; A queſtion was propounded

Conc. Chalcedonenſ. par. 2. Act. 11. apud Bin. Concil. Gr. La. To. 3. f. 410.

pounded by the Council where the Biſhop of *Epheſus* was to be regularly ordained, according to the *Canons*. *Leontius* Biſhop of *Magneſia* ſaith, that there had been twenty ſeven Biſhops of *Epheſus* from *Timothy*, and all of them ordained in the place. His buſineſs was not to derive exactly the ſucceſſion of Biſhops, but ſpeaking according to vulgar tradition, he inſiſts that all had been ordained there. Now if he be convicted of the *crimen falſi* in his τὸ ἔργον, no wonder if we meet with a miſtake in his πάρεργον *i. e.* if he were out in his allegation, no wonder if he were deceived in his tradition. Now as to the ordination of the Biſhops in *Epheſus*, *Philip* a Presbyter of *Conſtantinople* convicts him of falſhood in that; For, ſaith he, *John* Biſhop of *Conſtantinople* going into *Aſia*, depoſed fifteen Biſhops there, and ordained others in their room. And *Aetius* Archdeacon of *Conſtantinople* inſtanceth in *Caſtinus*, *Heraclides*, *Baſilius* Biſhops of *Epheſus*, all ordained by the Biſhop of *Conſtantinople*. If then the certainty of ſucceſſion relyes upon the credit of this *Leontius*, let them thank the Council of *Chalcedon*, who have ſufficiently blaſted it, by determining the cauſe againſt him in the main evidence produced by him. So much to ſhew how far the cleareſt evidence for ſucceſſion of Biſhops from Apoſtolical times is from being convincing to any rational man. *Thirdly*, the ſucceſſion ſo much pleaded by the Writers of the Primitive Church, was *not a ſucceſſion of perſons in Apoſtolical power, but a ſucceſſion in Apoſtolical doctrine*; Which will be ſeen by a view of the places produced to that purpoſe. The firſt is that of *Irenaus*. *Quoniam valdè longum eſt in hoc tali volumine omnium Eccleſiarum enumerare ſucceſſiones, maximæ & antiquiſſimæ, & omnibus cognitæ à glorioſiſſimis duobus Apoſtolis* Petro & Paulo Romæ *fundatæ & conſtitutæ Eccleſiæ, eam quam habet ab Apoſtolis traditionem, & annunciatam hominibus fidem, per ſucceſſiones Epiſcoporum pervenientes uſque ad nos, indicantes, confundimus omnes eos*, &c. Where we ſee *Ireneus* doth the leaſt of all aim at the making out of a ſucceſſion of Apoſtolical power in the Biſhops he ſpeaks of, but a conveying of the doctrine of the Apoſtles down to them by their hands: (which doctrine is here called tradition, not as that word is abuſed by the Papiſts to ſignifie ſomething

Adverſ. hareſ. l. 3. cap. 3.

ſomething diſtinct from the Scriptures, but as it ſignifies the conveyance of the doctrine of the Scripture its ſelf) Which is cleared by the beginning of that *chapter*, *Traditionem itaq; Apoſtolorum in toto mundo manifeſtatam in Eccleſia adeſt perſpicere omnibus qui vera velint audire; & habemus annumerare eos qui ab Apoſtolis inſtituti ſunt Epiſcopi in Eccleſiis, & ſucceſſores eorum uſq; ad nos qui nihil tale docuerunt neq; cognoverunt, quale ab his deliratur.* His plain meaning is, that thoſe perſons who were appointed by the Apoſtles to overſee and govern Churches, being ſufficient witneſſes themſelves of the Apoſtles doctrine, have conveyed it down to us by their ſucceſſors, and we cannot learn any ſuch thing of them, as *Valentinus* and his followers broached. We ſee it is the doctrine ſtill he ſpeaks of, and not a word what power and ſuperiority theſe Biſhops had over Presbyters in their ſeveral Churches. To the ſame purpoſe *Tertullian* in that known ſpeech of his; *Edant origines Eccleſiarum ſuarum, evolvant ordinem Epiſcoporum ſuorum, ita per ſucceſſiones ab initio decurrentem, ut primus ille Epiſcopus aliquem ex Apoſtolis aut Apoſtolicis viris habuerit authorem & anteceſſorem. Hoc modo Eccleſiæ Apoſtolicæ census ſuos deferunt; ſicut Smyrnæorum Eccleſia habens Polycarpum à* Johanne *conlocatum refert, ſicut Romanorum Clementem à Petro ordinatum edit; proinde utiq; & cæteræ exhibent, quos ab Apoſtolis in Epiſcopatum conſtitutos Apoſtolici ſeminis traduces habeant.* A ſucceſſion I grant is proved in Apoſtolical Churches by theſe words of *Tertullian*, and this ſucceſſion of perſons, and thoſe perſons Biſhops too; but then it is only ſaid that theſe perſons derived their office from the Apoſtles, but nothing expreſſed what relation they had to the Church any more then is implied in the general name of *Epiſcopi*, nor what power they had over Presbyters; only that there were ſuch perſons, was ſufficient to his purpoſe, which was to *preſcribe againſt hereticks*, *i. e.* to Non-ſuit them, or to give in general reaſons why they were not to be proceeded with as to the particular debate of the things in queſtion between them. For *præſcribere* in the civil Law (whence *Tertullian* tranſplanted that word as many other into the Church) is, *cum quis adverſarium certis exceptionibus removet à lite conteſtandâ, ita ut de ſumma rei neget agendum, eamve cauſam ex juris præſcripto judicandam:*

De præſcript. adverſ. hæret. cap. 32.

three

three ſorts of theſe preſcriptions *Tertullian* elſewhere mentions; *Hoc exigere veritatem cui nemo præſcribere poteſt, non ſpatium temporum, non patrocinia perſonarum, non privilegium regionum.* Here he ſtands upon the firſt which is a preſcription of time, becauſe the doctrine which was contrary to that of the hereticks was delivered by the Apoſtles, and conveyed down by their ſucceſſors, which was requiſite to be ſhewed in order to the making his preſcription good. Which he thus further explains; *Age jam qui voles curioſitatem melius exercere in negotio ſalutis tuæ; percurre Eccleſias Apoſtolicas, apud quas ipſæ adhuc Cathedræ Apoſtolorum ſuis locis præſidentur, apud quas ipſæ authenticæ eorum literæ recitantur, ſonantes vocem & repræſentantes faciem uniuſcujuſque. Proxime eſt tibi Achaia? habes Corinthum. Si non longe es à Macedonia, habes Philippos, habes Theſſalonicenſes. Si potes in Aſiam tendere, habes Epheſum. Si autem Italia adjaces, habes Romam, unde nobis quoque auctoritas præſto eſt.* What he ſpoke before of the perſons, he now ſpeaks of the Churches themſelves planted by the Apoſtles, which by retaining the authentick Epiſtles of the Apoſtles ſent to them, did thereby ſufficiently preſcribe to all the novel opinions of the hereticks. We ſee then evidently that it is the doctrine which they ſpeak of as to ſucceſſion, and the perſons no further then as they are the conveyers of that doctrine; either then it muſt be proved that a ſucceſſion of ſome perſons in Apoſtolical power is neceſſary for the conveying of this doctrine to men, or no argument at all can be inferred from hence for their ſucceeding the Apoſtles in their power, becauſe they are ſaid to convey down the Apoſtolical doctrine to ſucceeding ages. Which is *Auſtins* meaning in that ſpeech of his, *Radix Chriſtianæ ſocietatis per ſedes Apoſtolorum & ſucceſſiones Epiſcoporum, certa per orbem propagatione diffunditur. The root of Chriſtian ſociety, (i. e. the doctrine of the Goſpel) is ſpread abroad the world through the channels of the Apoſtolical Sees, and the continued ſucceſſions of Biſhops therein.* And yet if we may believe the ſame *Auſtin*, *Secundum honorum vocabula quæ jam Eccleſiæ uſus obtinuit, Epiſcopatus Presbyterio major eſt.* The difference between Epiſcopacy and Presbyterie riſes from the cuſtome of the Church, attributing a name of greater honour

De Virgin. veland. c. 1.

Cap. 35. de præſcript.

Aug. Ep. 42.

Aug. Ep. 29.

to thoſe it had ſet above others. And as for *Tertullian*, I believe neither party will ſtand to his judgement as to the original of Church-power: For he ſaith expreſly, *Differentiam inter ordinem & plebem conſtituit Eccleſiæ auctoritas; all the difference between Miniſters and people comes from the Churches authority*; unleſs he means ſomething more by the following words, *& honor per Ordinis conſeſſum ſanctificatus à Deo, viz.* that the honour which is received by ordination from the bench of Church-Officers, is ſanctified by God, *i. e.* by his appointment as well as bleſſing. For otherwiſe I know not how to underſtand him. But however, we ſee here he makes the Government of the Church to lie in a *Conſeſſus ordinis*, which I know not otherwiſe to render, then by a *bench of Preſbyters*; becauſe only they were ſaid *in ordinem cooptari*, who were made Presbyters, and not thoſe who were promoted to any higher degree in the Church. By the way we may obſerve the original of the name of *Holy-Orders* in the Church, not as the Papiſts, and others following them, as though it noted any thing inherent by way of (I know not what) character in the perſon; but becauſe the perſons ordained were thereby admitted *in Ordinem* among the number of Church-officers. So there was *Ordo Senatorum*, *Ordo Equeſtris*, *Ordo Decurionum*, and *Ordo Sacerdotum* among the Romans, as in this Inſcription

Exhort. Caſtit. c. 7.

V. Selden in Eutych. p. 28. &c.

ORDO SACERDOT. DEI
HERCULIS INVICTI.

From hence the uſe of the word came into the Church, and thence Ordination, *Ex vi vocis* imports no more then ſolemn admiſſion into this order of Presbyters; and therefore it is obſervable, that laying on of hands never made men Prieſts under the Law, but only admitted them into publick office. So much for *Tertullians Conſeſſus ordinis*, which hath thus far drawn us out of our way, but we now return. And therefore *Fourthly, This perſonal ſucceſſion ſo much ſpoken of, is ſometimes attributed to Presbyters, even after the diſtinction came into uſe between Biſhops and them.* And that even by thoſe Authors who before had told us the ſucceſſion was by Biſhops, as *Irenæus. Cum autem ad eam iterum traditionem, quæ eſt ab*

Adver. hæreſ l. 3. c. 2.

ab Apoſtolis, quæ per ſucceſſiones Presbyterorum in Eccleſiis cuſtoditur, provocamus eos qui adverſantur traditioni; dicent ſe non ſolum Presbyteris ſed etiam Apoſtolis exiſtentes ſapientiores, &c. Here he attributes the keeping of the tradition of Apoſtolical doctrine to the ſucceſſion of Presbyters, which before he had done to Biſhops. And more fully afterwards, *Quapropter iis qui in Eccleſiâ ſunt Presbyteris obaudire oportet, his qui ſucceſſionem habent ab Apoſtolis, ſicut oſtendimus, qui cum Epiſcopatus ſucceſſione, chariſma veritatis certum ſecundum placitum patris acceperunt.* In this place he not only aſſerts the ſucceſſion of Presbyters to the Apoſtles, but likewiſe attributes the *ſucceſſio Epiſcopatus* to theſe very Presbyters. What ſtrange confuſion muſt this raiſe in any ones mind that ſeeks for a ſucceſſion of Epiſcopal power above Presbyters from the Apoſtles, by the Teſtimony of *Irenæus*, when he ſo plainly attributes both the ſucceſſion to Presbyters, and the Epiſcopacy too, which he ſpeaks of? And in the next chapter adds, *Tales Prebyteros nutrit Eccleſia, de quibus & Propheta ait, Et dabo principes tuos in pace, & Epiſcopos tuos in juſtitiâ.* Did *Irenæus* think that Biſhops in a ſuperior order to Presbyters were derived by an immediate ſucceſſion from the Apoſtles, and yet call the Presbyters by the name of Biſhops? It is ſaid indeed that in the Apoſtles times the names Biſhop and Presbyter were common, although the office was diſtinct; but that was only during the Apoſtles life, ſay ſome, when after the name Biſhop was appropriated to that order that was in the Apoſtles (ſo called before) but, ſay others, it was only till ſubject Presbyters were conſtituted, and then grew the difference between the names. But neither of theſe σοφὰ φάσματα can draw forth the difficulty in theſe places of *Irenæus*; for now both the Apoſtles were dead, and ſubject Presbyters certainly in ſome of theſe Apoſtolical Churches were then conſtituted; whence comes then the community of names ſtill, that thoſe who are ſaid to ſucceed the Apoſtles, are called Biſhops in one place, but Presbyters in another, and the very ſucceſſion of Epiſcopacy attributed to Presbyters? Can we then poſſibly conceive that theſe teſtimonies of *Irenæus* can determine the point of ſucceſſion, ſo as to make clear

Lib. 4. cap. 43.

Cap. 44.

to us what that power was which those persons enjoyed, whom he sometimes calls Bishops, and sometimes Presbyters. But it is not *Irenæus* alone who tells us that Presbyters succeed the Apostles; even *Cyprian* who pleads so much for obedience to the Bishops as they were then constituted in the Church, yet speaks often of his *compresbyteri*; and in his Epistle to *Florentius Papianus*, who had reproached him, speaking of those words of Christ, *He that heareth you, heareth me*, &c. *Qui dicit ad Apostolos, ac per hoc ad omnes præpositos, qui Apostolis vicaria ordinatione succedent*, where he attributes Apostolical succession to all that were *præpositi*, which name implies not the relation to Presbyters as over them, but to the people, and is therefore common both to Bishops and Presbyters;* for so afterwards he speaks, *nec fraternitas habuerit Episcopum, nec plebs Præpositum*, &c. *Jerome* saith that Presbyters are *loco Apostolorum*, and that they do *Apostolico gradui succedere*; and the so much magnified *Ignatius*, πρεσβύτεροι εἰς τόπον Συνεδρίου τῶν Ἀποστόλων *that the Presbyters succeeded in the place of the Bench of Apostles*; and elsewhere of *Sotion* the Deacon ὅτι ὑποτάσσεται τῷ ἐπισκόπῳ ὡς χάριτι Θεοῦ, καὶ τῷ πρεσβυτερίῳ ὡς νόμῳ Ἰησοῦ Χριστοῦ, as it is read in the *Florentime* copy set out by *Vossius*; but in the former Editions both by *Vedelius* and the most learned *Primate* of *Armagh* it is read, ὅτι ὑποτάσσεται τῷ ἐπισκόπῳ καὶ τῷ πρεσβυτερίῳ χάριτι Θεοῦ ἐν νόμῳ Ἰησοῦ Χριστοῦ· but that of *Vossius* seems to be the true reading, to which the old Latin version in *Bishop Usher* fully agrees; *Quoniam subjectus est Episcopo ut gratiæ Dei, & presbyterio ut legi Jesu Christi.* It might be no improbable conjecture to guess from hence at *Ignatius* his opinion concerning the original both of Episcopacy and Presbiterie. The former he looks on as an excellent gift of God to the Church; so a learned Doctor paraphraseth *gratiæ dei.* i. e. *Dono à Deo Ecclesiæ indulto*; so *Cyprian* often *Divina dignatione* speaking of Bishops; *i. e.* that they looked on it as an act of God's special favour to the Church to find out that means for unity in the Church, to pitch upon one among the Presbyters who should have the chief rule in every particular Church; but then for Presbyterie, he looks on that as νόμῳ Ἰησοῦ Χριστοῦ, *an institution and Law of Jesus Christ*, which must on that account always

* *V. Cyprian. ep. 3. à Clero. Rom. ep. 62. & 65. in Mich. 2. epist. 1.*

Ep ad Mag. p. 33. ed. Is. Vossi. p. 31. Vedel p. 50.

Usser p 49.

Ep. 69. ed. Pamel. f. 4.

Ep. 69.

ways continue in the Church. And ſo *Sotion* did commendably in ſubmiting to the Biſhop as a Favour of God to the Church for preventing ſchiſms; on which account it is, and not upon the account of divine inſtitution, that *Ignatius* is ſo earneſt in requiring obedience to the Biſhop, becauſe as *Cyprian* ſaith, *Eccleſia eſt plebs Epiſcopo coadunata, & grex Paſtori adhærens*; and the Biſhops then being orthodox, he lays ſuch a charge upon the people to adhere to them, (for it is to the people, and not to the Presbyters he ſpeaks moſt) which was as much as to bid them hold to the unity of the faith, and avoid thoſe pernicious hereſies which were then abroad; and ſo *Ignatius* and *Jerome* may eaſily be reconciled to one another; both owning the Council of Presbyters as of divine inſtitution, and both requiring obedience to Biſhops as a ſingular priviledge granted to the Church, for preventing ſchiſms, and preſerving unity in the Faith. And in all thoſe thirty five teſtimonies produced out of *Ignatius* his Epiſtles for Epiſcopacy, I can meet but with one which is brought to prove the leaſt ſemblance of an Inſtitution of Chriſt for Epiſcopacy; and if I be not much deceived, the ſenſe of that place is clearly miſtaken too. The place is *Ep. ad Epheſios*; He is exhorting the Epheſians συνδρέχειν τῇ γνώμῃ τοῦ Θεοῦ, which I ſuppoſe may be rendred *to fulfil the will of God*, ſo ποιῆσαι τὸ γνώμιμα ſignifies *Apocalypſ.* 17. 17. and adds καὶ γὰρ Ἰησοῦς Χριστὸς τὸ ἀδιάκριτον ἡμῶν ζῆν, τοῦ πατρὸς ἡ γνώμη, ὡς καὶ οἱ ἐπίσκοποι οἱ κατὰ τὰ πέρατα ὁριζόντες εἰσὶν Ἰησοῦ Χριστοῦ γνώμῃ εἰσίν· ὅθεν πρέπει ὑμῖν συντρέχειν τῇ τοῦ ἐπισκόπου γνώμῃ, ὅπερ καὶ ποιεῖτε. He begins to exhort them *to concur with the will of God*, and concludes his exhortation *to concur with the will or council of the Biſhop*; and in the middle he ſhews the ground of the connexion of theſe two together; *for Chriſt* ſaith he, *who is our inſeparable life, is the counſel of the Father: and the Biſhops who are ſcattered abroad to the ends of the earth, are the Counſel of Jeſus Chriſt. i. e.* do concur with the will of Chriſt; *therefore follow the counſel of your Biſhop, which alſo you do.* Every thing is plain and obvious in the ſenſe here, and very coherent to the expreſſions both before and after; only the εἰ muſt be left out as plainly redundant, and ὁριζόντες muſt not be rendred *de-* P. 19. *Voſſ.*

terminati, but rather *diſterminati*, becauſe it refers to a place here, and ſo it notes their being diſperſed into ſeveral places; and ſeparated from one another; thereby implying the unity of their faith, and the *coagulum fidei*, notwithſtanding their diſtance from one another as to place in the world, which in *Cyprians* words is, *Eccleſiæ univerſæ per totum mundum unitatis vinculo copulatæ.* And certainly a ſtronger argument then this could not have been given for the *Epheſians* chearful obedience to their Biſhop (which is the thing he aims at,) then the univerſal conſent of all the Biſhops in the Chriſtian world in the unity of the faith of Chriſt; ſo that as Chriſt is the will and counſel of the Father, becauſe of that Harmony and conſent which is between their wills; ſo the Biſhops are the will and counſel of Chriſt, as chearfully uniting in the profeſſion of his Faith. So that we ſee *Ignatius* himſelf cannot give a doubting mind ſatisfaction of the Divine inſtitution of Biſhops, when in the only place brought to that purpoſe, his ſenſe is quite different from what it is brought for. So that the Records of the Church are far from deciding this controverſie as to the certainty of the form of Government inſtituted by Chriſt, becauſe of the Ambiguity of thoſe records as to the point of ſucceſſion to the Apoſtles, in that this ſucceſſion might be only of a different degree, in that it is not clear and convincing in all places; in that where it is cleareſt, it is meant of a ſucceſſion of doctrine, and not of perſons; in that if it were of perſons, yet Presbyters are ſaid to ſucceed the Apoſtles as well as Biſhops, by the ſame perſons who ſpeak of theſe. By which laſt thing we have likewiſe cleared the *Second* thing propounded, to ſhew the ambiguity of the teſtimony of Antiquity, which was *the promiſcuous uſe of the names of Biſhops and Presbyters, after the diſtinction between their office was brought in by the Church.* For we have made it appear that the names are promiſcuouſly uſed, when that ſucceſſion which is ſometimes attributed to Biſhops, is at other times given to Presbyters. Other inſtances might be brought of that nature; as, firſt, that of *Clemens Romanus* in his excellent Epiſtle, which like the River *Alpheus* had run under ground for ſo many centuries of years, but hath now in theſe

laſt

laſt times of the world appeared publickly to the view of the world, to make it appear how true that is which he ſaith the Apoſtles did foreſee, ὅτι ἔρις ἔσται περὶ τῆς ὀνόματος τῆς ἐπισκοπῆς, *that there would be great contention about the name of Epiſcopacy:* and ſo there are ſtill, and that from his Epiſtle too. For when in one place he tells us *that the Apoſtles ordained their firſt fruits to be Biſhops and Deacons,* τῶν μελλόντων πιστεύειν, *of thoſe that ſhould believe:* afterwards he makes no ſcruple of calling thoſe Biſhops *Presbyters* in ſeveral places, μακάριοι οἱ προηγησάμενοι πρεσβύτεροι, &c. and ſpeaking of the preſent ſchiſm at *Corinth*, he ſaith, *it was a moſt ſhameful thing and unworthy of Chriſtians.* Αἰσχρὰ ἀκούειν ἡμᾶς λίαν αἰσχρὰ καὶ ἀνάξια τῆς ἐν χριστῷ ἀγωγῆς ἀκούεσθαι τὴν βεβαιοτάτην καὶ ἀρχαίαν Κορινθίων ἐκκλησίαν δι' ἓν ἢ δύο πρόσωπα στασιάζειν πρὸς τοὺς πρεσβυτέρους. *To hear the firm and ancient Church of* Corinth, *for the ſake of one or two perſons to raiſe a ſedition againſt the Presbyters;* and afterwards, μόνον τὸ ποίμνιον τοῦ χριστοῦ εἰρηνευέτω μετὰ τῶν καθεσταμένων πρεσβυτέρων, *Only let the flock of Chriſt enjoy its peace with the Presbyters which are ſet over it.* But becauſe this is ſaid to be ſpoken before the time of diſtinction between Biſhops and Presbyters, it being ſuppoſed that there were no ſubject Presbyters then (although no reaſon can be aſſigned why the Apoſtles ſhould ordain Biſhops τῶν μελλόντων πιστεύειν *of thoſe that ſhould believe*, and ſhould not likewiſe ordain Presbyters for them) yet to take away all ſcruple, we ſhall go farther; when ſubject Presbyters, as they are called, are acknowledged to be, and yet Biſhops are call'd Presbyters then too: For which we have the clear teſtimony of the Martyrs of the Gallican Church in their Epiſtle to *Eleutherius* Biſhop of *Rome*, who call *Irenæus* Πρεσβύτερον ἐκκλησίας, when as *Blondell* obſerves he had been nine years Biſhop of *Lyons* in the place of *Pothinus*; neither doth *Blondells* argument lye here, that becauſe they call him the Preſbyter of the Church, therefore he was no Biſhop, as his Antagoniſt ſuppoſeth; but he freely acknowledgeth him to have ſucceeded *Pothinus* there in his Biſhoprick; but becauſe after the difference aroſe between Biſhop and Presbyters, yet they called him by the name of Presbyter, it ſeems very improbable that when they were commending one to the

Biſhop

Ep. gr. lat. p. 57.

Page 54.

Page 57.

Pag. 69. & p. 73. p. 2, 3.

Apol p. 31.

Euſeb. l. 5. cap. 3.

Biſhop of another Church, they ſhould make uſe of the loweſt name of honour then appropriated to ſubject Presbyters, which inſtead of commending, were a great debaſing of him, if they had looked on a ſuperiour order above thoſe Preſbyters, as of divine inſtitution, and thought there had been ſo great a diſtance between a Biſhop and ſubject Presbyters, as we are made to believe there was. Which is, as if the Maſter of a Colledge in one Univerſity ſhould be ſent by the Fellows of his ſociety to the Heads of the other, and ſhould in his Commendatory letters to them, be ſtiled a Senior Fellow of that houſe; Would not any one that read this, imagine that there was no difference between a Senior Fellow and a Maſter, but only a primacy of order, that he was the firſt of the number without any power over the reſt? This was the caſe of *Irenæus*; he is ſuppoſed to be Biſhop of the Church of *Lyons*; he is ſent by the Church of *Lyons* on a Meſſage to the Biſhop of *Rome*; when notwithſtanding his being Biſhop, they call him *Presbyter of that Church*, (when there were other Presbyters who were not Biſhops,) what could any one imagine by the reading of it, but that the Biſhop was nothing elſe but the Seniour Presbyter or one that had a primacy of order among, but no divine right to a power of juriſdiction over his fellow-Presbyters? More inſtances of this nature are brought there by that learned Author, which the Reader may compare with the anſwers, and then let him judge whether the Teſtimony of Antiquity have not too much ambiguity in it to decide the Controverſie clearly on either ſide. But that which ſeems yet more material, is that which we obſerved in the *third place, that thoſe who acknowledge the ſuperiority of Biſhops over Presbyters, do impute it to an act of the Church, and not aſcribe it to any divine inſtitution.* The teſtimony of *Jerome* to this purpoſe is well known, and hath been produced already; that of the counterfeit *Ambroſe*, but true *Hilary*, is in every ones mouth upon this controverſie; *Quia primum Presbyteri Epiſcopi appellabantur, ut recedente uno ſequens ei ſuccederet; ſed quia cœperunt ſequentes Presbyteri indigni inveniri ad primatus tenendos, immutata eſt ratio, proſpiciente Concilio ut non ordo ſed meritum crearet Epiſcopum multorum Sacerdotum judicio conſtitutum,*

In Eph. 4.

ſtitutum, ne indignus temerè Uſurparet & eſſet multis ſcandalum. Very ſtrange that an opinion ſo directly contrary to the divine right of Epiſcopacy ſhould be publiſhed by a Deacon of the Church of *Rome*, and theſe Commentaries cited by *Auſtin*, with applauſe of the Perſon, without ſtigmatizing him, for a heretick with *Aerius*, if it had been then the opinion of the Church, that Biſhops in their power over Presbyters did ſucceed the Apoſtles by a divine right. Nothing more clear, then that he aſſerts all the difference between a Biſhop and Presbyters to ariſe from an act of the Church choofing men for their deſerts, when before they ſucceeded in order of place; it is a miſtake of *Blondels*, to attribute this to the *Nicene Council*; doubtleſs he means no more then that *Hierom* calls *Concilium Presbyterorum*, or which he himſelf means by *judicium Sacerdotum*. The teſtimony of *Auſtin* hath been already mentioned. *Secundum honorum vocabula quæ jam Eccleſiæ uſus obtinuit, Epiſcopatus Presbyterio major eſt.* Thereby implying it was not ſo alwayes: elſe to what purpoſe ſerves that *jam obtinuit*, and that the original of the difference was from the Church? But more expreſs and full is *Iſidore* himſelf the Biſhop of *Sevil* in *Spain* ſpeaking of Preſbyters. *His ſicut Epiſcopis diſpenſatio myſteriorum Dei commiſſa eſt; præſunt enim Eccleſiis Chriſti, & in confectione corporis & ſanguinis conſortes cùm Epiſcopis ſunt; ſimiliter & in doctrina populi & in officio prædicandi, ſed ſola propter auctoritatem ſummo ſacerdoti Clericorum ordinatio reſervata eſt, ne à multis Eccleſiæ diſciplina vindicata concordiam ſolveret, ſcandala generaret.* What could be ſpoken more to our purpoſe then this is? he aſſerts the identity of power as well as name, in both Biſhops and Presbyters in governing the Church, in celebrating the Euchariſt, in the office of preaching to the people, only for the greater honour of the Biſhop, and for preventing ſchiſms in the Church, the power of ordination was reſerved to the Biſhop; by thoſe words *propter auctoritatem*, he cannot poſſibly mean the authority of a divine command, for that his following words contradict, that it was to prevent ſchiſms and ſcandals, and after produceth the whole place of *Jerome* to that purpoſe. Agreeable to this, is the judgment of the ſecond Council of *Sevil* in

De Eccleſ. Officiis l. 1. cap. 7.

in *Spain*, upon the occation of the irregualar proceedings of some Presbyters ordained by *Agapius* Bishop of *Corduba*. Their words are these: *Nam quamvis cum Episcopis plurima illis Ministeriorum communis sit dispensatio, quædam novellis & Ecclesiasticis regulis sibi prohibita noverint, sicut Presbyterorum & Diaconorum & Virginum consecratio*, &c. *Hæc enim omnia illicita esse Presbyteris, quia Pontificatus apicem non habent, quem solis deberi Episcopis authoritate Canonum præcipitur: ut per hoc & discretio graduum, & dignitatis fastigium summi Pontificis demonstretur.* How much are we beholding to the ingenuity of a *Spanish Council*, that doth so plainly disavow the pretence of any divine right to the Episcopacy by them so strenuously asserted? All the right they plead for, is from the *novellæ & Ecclesiasticæ regulæ*, which import quite another thing from divine institution; and he that hath not learnt to distinguish between the authority of the Canons of the Church, and that of the Scriptures, will hardly ever understand the matter under debate with us: and certainly it is another thing to preserve the honour of the different degrees of the Clergy, but especially of the chief among them, *viz.* the Bishop, then to observe a thing meerly out of obedience to the command of Christ; and upon the account of divine institution. That which is rejoyned in answer to these testimonies, as far as I can learn, is only this, *that the Council and* Isidore *followed* Jerome, *and so all make up but one single testimony.* But might it not as well be said, that all that are for Episcopacy did follow *Ignatius* or *Epiphanius*, and so all those did make up but one single testimony on the other side? yea I do as yet dispair of finding any one single testimony in all antiquity, which doth in plain terms assert Episcopacy, as it was setled by the practice of the Primitive Church in the ages following the Apostles, to be of an unalterable divine right. Some expressions I grant in some of them seem to extoll Episcopacy very high; but then it is in order to the peace and unity of the Church, and in that sense they may sometimes be admitted to call it *Divine* and *Apostolical*, not in regard of its institution, but of its end, in that it did in their opinion tend as much to preserve the unity of the Church, as the Apostles power did over the Churches

Conc. Hispal. secundum decret. 7. apud Bin T. 4. p. 560.

Churches while they were living. If any ſhall meet with expreſſions ſeeming to carry the fountain of Epiſcopal power higher, let them remember to diſtinguiſh between the power its ſelf, and the reſtrained exerciſe of that power; the former was from the Apoſtles, but common to all Diſpenſers of the word; the latter was appropriated to ſome, but by an act of the Church, whereby an eminency of power was attributed to one for the ſafety of the whole. And withal let them conſider that every Hyperbolical expreſſion of a Father will not bear the weight of an argument: and how common it was to call things Divine, which were conceived to be of excellent uſe, or did come from perſons in authority in the Church. One would think that ſhould meet with θεῖον γράμμα in the Acts of the Council of *Chalcedon*, it could be rendred by nothing ſhort of the Scriptures: whereas they mean no more by it, but only the Emperours letters to the Council. It hath been already obſerved how ready they were to call any cuſtome of the Church before their times an Apoſtolical tradition. And as the Heathens when they had any thing which they knew not whence it came, they uſually called it Διόπετες as though it came immediately from heaven; ſo the Fathers when traditions were conveyed to them, without the names of the Authors, they conclude they could have no other fountain but the Apoſtles. And thus we ſee many traditions in ſeveral Churches directly contrary to one another, were looked on as Apoſtolical, only from the prevalency of this perſwaſion, that what ever they derived from their Fathers, was of that nature. But then for that anſwer to the *Council*, and *Iſidore*, and *Jerome*, that they make but one teſtimony; I ſay, that although the words be of the ſame ſenſe, yet they have the nature of a different teſtimony, upon theſe accounts. *Firſt*, as produced by perſons of different condition in the Church; ſome think they are even with *Jerome* when they tell us what a *pique* there was between him and *John* Biſhop of *Jeruſalem*, and that he might have the better advantage of his adverſary, when he could not raiſe himſelf up to the honour of Epiſcopacy, he would bring that down to the State of Presbyterie; but, as ſuch entertain too unworthy thoughts of one of thoſe Fathers,

Conc. Chal. Part. 2. Act. 11.

whom they profeſs themſelves admirers of; ſo this prejudice cannot poſſibly lie againſt *Iſidore*, or the *Council*: For the firſt was himſelf a Biſhop of no mean account in the Church of God; and the *Council* was compoſed of ſuch; it could be no bias then of that nature could draw them to this opinion: and no doubt they would have been as forward to maintain their own authority in the Church, as the truth and conſcience would give them leave. Therefore on this account one teſtimony of a ſingle Biſhop, much more of a whole Council of them, againſt their acting by divine authority in the Church, is of more validity then ten for it, in as much as it cannot but be in reaſon ſuppoſed that none will ſpeak any thing againſt the authority they are in, or what may tend in the leaſt to diminiſh it, but ſuch as make more conſcience of the truth, then of their own credit and eſteem in the world. *Secondly*, in that it was done in different ages of the Church; *Jerome* flouriſhed about 380. *Iſidore* ſucceeded *Leander* in *Sevil*, 600. the Council ſat, 619. the Council of *Aquen* which tranſcribes *Iſidore* and owns his doctrine, 816. So that certainly ſuppoſing the words of all to be the ſame, yet the Teſtimony is of greater force, as it was owned in ſeveral Ages of the Church, by whole Councils, without any the leaſt controul that we read of. And if this then muſt not be looked on as the ſenſe of the Church at that time, I know not how we can come to underſtand it: if what is poſitively maintained by different perſons in different ages of the Church, and in different places without any oppoſing it by Writers of thoſe ages, or condemning it by Councils, may not be conceived to be the ſenſe of the Church at that time. So that laying all theſe things together, we may have enough to conclude the *Ambiguity* at leaſt, and thereby *incompetency* of the *Teſtimony* of *Antiquity*, for finding out the certain form which the Apoſtles obſerved in planting Churches.

§. 18. We proceed to the *third* thing to ſhew the incompetency of Antiquity for deciding this controverſie, which will be from the *Partiality* of the Teſtimony brought from thence. Two things will ſufficiently manifeſt the *Partiality* of the judgment of Antiquity in this caſe. *Firſt*, their apparent judging

judging of the practice of the first primitive Church, according to the customes of their own. *Secondly*, their stiff and pertinacious adhering to private traditions contrary to one another, and both sides maintaining theirs as Apostolical. First, *judging the practice of the Apostles by that of their own times*; as is evident by *Theodoret*, and the rest of the Greek Commentators, assigning that as the reason why the Presbyters spoken of in the Epistles to *Timothy* and *Titus*, were not Bishops in the sense of their age, because there could be but one Bishop in a City, whereas there are more expressed in those places, as being in the several Cities: whereas this is denyed of Apostolical times by the late pleaders for Episcopacy; and it is said of them, that they spoke according to the custome of their own time. And it is now thought there were two Bishops in Apostolical times in several Cities; the one the head of the Jewish *Cœtus*, and the other of the Gentile. I enter not the dispute again here, whether it were so or no, only I hence manifest, how far those persons themselves who plead for the judgment of the Fathers as deciding this controversie, are from thinking them impartial judges, when as to the grounds of their sentence they are confessed to speak only of the practice of their own time. Who can imagine any force in *Chrysostomes* argument, *that the Presbyters who laid hands on* Timothy *must needs be Bishops, because none do ordain in the Church but Bishops*, unless he makes this the *medium* of his argument, that whatever was the practice of the Church in his dayes, was so in Apostolical times. There is, I know not what strange influence in a received custome, if generally embraced, that doth possess men with a fancy it was never otherwise then it is with them; nay when they imagine the necessity of such a custome at present in the Church, they presently think it could never be otherwise then it is. But of this I have spoken somewhat already. *Secondly*, that which makes it appear how *partial* the judgment of Antiquity is, *in adhering to their particular traditions, and calling them Apostolical, though contrary to one another.* How can we then fix upon the testimony of antiquity as any thing certain or impartial in this case? when it hath been found so

evidently partial in a caſe of leſs concernment then this is. A Witneſs that hath once betrayed his faithfulneſs in the open court, will hardly have his evidence taken in a caſe of moment, eſpecially when the cauſe muſt ſtand or fall according to his ſingle teſtimony. For my part, I ſee not how any man that would ſee reaſon for what he doth, can adhere to the Church for an unqueſtionable tradition received from the Apoſtles; when in the caſe of keeping Eaſter, whether with the Jews on the fourteenth Moon, or only on the Lords day, there was ſo much unreaſonable heat ſhewed on both ſides, and ſuch confidence that on either ſide their tradition was Apoſtolical. The ſtory of which is related by *Euſebius*, and *Socrates* and many others. They had herein all the advantages imaginable in order to the knowing the certainty of the thing then in queſtion among them. As their nearneſs to Apoſtolical times, being but one remove from them: yea the perſons contending pleaded perſonal acquaintance with ſome of the Apoſtles themſelves, as *Polycarp* with *John*, and *Anicetus* of *Rome*, that he had his tradition from S. *Peter*; and yet ſo great were the heats, ſo irreconcilable the controverſie, that they proceeded to dart the Thunderbolt of excommunication in one anothers faces; as *Victor* with more zeal then piety, threw preſently the *Aſiatick* Churches all out of Communion, only for differing as to this tradition. The ſmall coales of this fire kindled a whole *Ætna* of contention in the Chriſtian world, the ſmoak and aſhes, nay the flames of which, by the help of *the Prince of the air* were blown over into the boſome of the then almoſt Infant Northern Churches of Brittain, where a ſolemn diſpute was cauſed upon this quarrel between *Colmannus* on one ſide, and *Wilfride* on the other. The like conteſt was upon this occaſion between *Auguſtine* the Monk, and the *Britiſh Biſhops*. The obſervation of this ſtrange combuſtion in the primitive Church upon the account of ſo vain, frivilous, unneceſſary a thing as this was, drew this note from a learned and judicious man, formerly quoted, in his *tract of Schiſm*; *By this we may plainly ſee the danger of our appeal to antiquity, for reſolution in controverted points of faith, O how ſmall relief we are to expect from thence! for if the diſcretion*

Eccleſ hiſt. l.5. c.25 Socrat. l.15. c. 21.

p. 5.

diſcretion of the chiefeſt guides and Directors of the Church did in a point ſo trivial, ſo inconſiderable, ſo mainly fail them, as not to ſee the truth in a ſubject, wherein it is the greater marvail how they could avoid the ſight of it, can we without the imputation of great groſſneſs and folly, think ſo poor-ſpirited perſons, competent judges of the queſtions now on foot betwixt the Churches? Thus that perſon, as able to make the beſt improvement of the Fathers as any of thoſe who profeſs themſelves the moſt ſuperſtitious admirers of antiquity. But if we muſt ſtand to the judgement of the Fathers, let us ſtand to it in this, that no tradition is any further to be embraced, then as it is founded on the word of God. For which purpoſe thoſe words of *Cyprian* are very obſervable; *In compendio eſt autem apud religioſas & ſimplices mentes, & errorem deponere, & invenire atque eruere veritatem: Nam ſi ad divinæ traditionis caput & originem revertamur, ceſſat error humanus.* He aſſerts it an eaſie matter for truly religious and plain-hearted men to lay aſide their errour, and to find out the truth, which is by returning to the head and ſpring of divine tradition, *viz.* the Scriptures; Which he expreſſeth further, with an elegant ſimilitude; *Si Canalis aquam ducens, qui copioſe prius & largiter profluebat, ſubito deficiat, nonne ad fontem pergitur ut illic defectionis ratio noſcatur, utrumne areſcentibus venis, in capite unda ſiccaverit; an verò integra deinde & plena procurrens, in medio itinere deſtiterit? ut ſi vitio interrupti aut bibuli canalis effectum eſt, quò minus aqua continua perſeveranter & jugiter flueret, refectio & confirmato canali ad uſum atque ad potum civitatis aqua collecta eadem ubertate atque integritate repreſentaretur, qua de fonte proficiſcitur. Quod & nunc facere oportet Dei ſacerdotes præcepta divina ſervantes, ut ſi in aliquo mutaverit (l. nutaverit) & vacillaverit veritas, ad originem Dominicam, & Evangelicam, & Apoſtolicam traditionem revertamur, & inde ſurgat actus noſtri ratio, unde & ordo & origo ſurrexit.* His meaning is; That as when a channel ſuddenly fails, we preſently inquire where and how the breach was made, and look to the ſpring and fountain, to ſee the waters be fully conveyed from thence as formerly; ſo upon any failour in the tradition of the Church, our only recourſe muſt be to the

Cyprian ep. 74. n. 13.

ib. n. 14.

the true fountain of tradition the word of God, and ground the reaſon of our actions upon that which was the foundation of our profeſſion. And when *Stephen* the Biſhop of *Rome* would tedder him to tradition, *Cyprian* keeps his liberty by this cloſe queſtion, *unde illa traditio? utrumne de Dominica & Evangelica auctoritate deſcendens, an de Apoſtolorum mandatis atque Epiſtolis veniens.*—— *Si ergo aut Evangelio præcipitur, aut in Apoſtolorum Epiſtolis, aut actibus continetur* —— *obſervetur Divina hæc & ſancta traditio.* We ſee this good man would not baulke his way one foot for the great bug-bear of Tradition, unleſs it did bear the character of a divine truth in it, and could produce the *credentials* of Scripture to teſtifie its authority to him. To the ſame purpoſe that ſtout Biſhop of *Cappadocia*, *Firmilian*, whoſe unhappineſs with *Cyprians*, was only that of *Jobs* friends, that they excellently managed a bad cauſe, and with far more of the ſpirit of Chriſtianity, then *Stephen* did, who was to be juſtified in nothing but the truth he defended. *Eos autem*, ſaith *Firmilian*, *qui Romæ ſunt, non ea in omnibus obſervare quæ ſint ab origine tradita, & fruſtra Apoſtolorum auctoritatem prætendere*, which he there makes out at large, *viz.* that the Church of *Rome* had gathered corruption betimes, which after broke out into an *Impoſthume* in the *head* of it. Where then muſt we find the certain way of reſolving the controverſie we are upon? the Scriptures determine it not, the Fathers tell us there is no believing tradition any further then it is founded in Scripture; thus are we ſent back from one to the other, till at laſt we conclude there is no certain way at all left to find out a deciſion of it. Not that we are left at ſuch uncertainties as to matters of faith (I would not be ſo miſtaken) We have *Archimedes* his *Poſtulatum* granted us for that, a place to fix our faith on, though the world be moved out of its place, I mean the undoubted word of God: but as to matters of fact not clearly revealed in Scripture, no certainty can be had of them, from the hovering light of unconſtant tradition. Neither is it only unconſtant, but in many things repugnant to its ſelf, which was the laſt conſideration to be ſpoke to in reference to the ſhewing the incompetency of antiquity for deciding our Controverſie. Well then,

Firmil. ep. inter ep. Cyprian. 75. n. 5.

then, ſuppoſe we our ſelves now waiting for the final *verdict* of Church tradition to determine our preſent cauſe; If the *Jury* cannot agree, we are as far from ſatisfaction as ever; and this is certainly the caſe we are now in. The main difficulty lies in the immediate ſucceſſion to the Apoſtles: if that were but once cleared, we might bear with interruptions afterwards: but the main ſeat of the controverſie lies there, whether the Apoſtles upon their withdrawing from the Government of Churches, did ſubſtitute ſingle perſons to ſucceed them or no; So that unleſs that be cleared, the very *Deed* of *gift* is queſtioned: and if that could be made appear, all other things would ſpeedily follow. Yes, *ſay ſome*, that is clear: For at *Jeruſalem*, *Antioch* and *Rome*, it is evident that ſingle perſons were entruſted with the Government of Churchs. In *Jeruſalem*, ſay they, *James* the brother of our Lord was made Biſhop by the Apoſtles: But whence doth that appear? it is ſaid from *Hegeſippus* in *Euſebius:* but what if he ſay no ſuch thing? his words are theſe Διαδέχεται τὸν ἐκκλησίαν μετὰ τῶν ἀποστόλων, which is there interpreted, *Eccleſiæ adminiſtrationem una cum cæteris Apoſtolis ſuſcepit.* And no more is thereby meant, but that this *James* who is by the Antients conceived to be only a Diſciple before, is now taken into a higher charge; and inveſted in a power of governing the Church as the Apoſtles were. His power it is plain was of the ſame nature with that of the Apoſtles themſelves; And who will go about to degrade them ſo much as to reduce them to the office of ordinary Biſhops? *James* in probability did exerciſe his Apoſtleſhip the moſt at *Jeruſalem*, where by the Scriptures we find him *Reſident*, and from hence the Church afterwards, becauſe of his not travelling abroad as the other Apoſtles did, according to the language of their own times, they fixed the titled of Biſhop upon him. But greater difference we ſhall find in thoſe who are pleaded to be ſucceſſors of the Apoſtles. At *Antioch* ſome, as *Origen* and *Euſebius*, make *Ignatius* to ſucceed *Peter*. *Jerome* makes him the third Biſhop, and placeth *Evodius* before him. Others therefore to ſolve that, make them cotemporary Biſhops, the one of the Church of the Jews, the other of the Gentiles:

Hiſt. Eccl. l. 2. cap. 22.

with what congruity to their *Hypotheſis* of a ſingle Biſhop and Deacons placed in every City, I know not: but that *Salvo* hath been diſcuſſed before. Come we therefore to *Rome*, and here the ſucceſſion is as muddy as the *Tiber* it ſelf; for here *Tertullian*, *Ruffinus*, and ſeveral other place *Clement* next to *Peter*. *Irenæus* and *Euſebius* ſet *Anacletus* before him: *Epiphanius* and *Optatus* both *Anacletus* and *Cletus*; *Auguſtinus* and *Damaſus* with others, make *Anacletus*, *Cletus* and *Linus* all to precede him. What way ſhall we find to extricate our ſelves out of this Labyrinth, ſo as to reconcile it with the certainty of the form of Government in the Apoſtles times? Certainly, if the *Line of ſucceſſion* fail us here, when we moſt need it, we have little cauſe *to pin our faith* upon it as to the certainty of any particular form of Church Government ſetled in the Apoſtles times, which can be drawn from the help of the Records of the Primitive Church: Which muſt be firſt cleared of all *Defectiveneſs*, *Ambiguity*, *Partiality* and *Confuſion*; before the thing we inquire for, can be extracted out of them.

V. Magdeburg Cent. 1. l. 2. c. 10.

§. 19. Having thus far ſhewed that we have no abſolute certainty of what form of Government was ſetled by the Apoſtles in the ſeveral Churches of their plantation; The next *Conſideration* which follows to be ſpoken to, is, *that the Apoſtles in probability did not obſerve any one fixed courſe of ſetling the Government of Churches, but ſetled it according to the ſeveral circumſtances of places and perſons which they had to deal with.* This will be *ex abundanti* as to the thing by me deſigned, which would be ſufficiently cleared without this: and therefore I lay it not as the foundation of my *theſis*, but only as a doctrine of probability, which may ſerve to reconcile the Controverſies on foot about Church Government. For if this be made appear, then it may be both granted that the Apoſtles did ſettle the Government in the Church in a Colledge of Presbyters, and in a Biſhop and Deacons too, according to the diverſity of places, and the variety of circumſtances. It is eaſie to obſerve, that as to rites and cuſtomes in the Church, the original of moſt mens miſtakes is, concluding that to be the general practice of the Church, which

which they meet with in ſome places: whereas that is moſt true which *Firmilian* tells us, *In plurimis provinciis, multa pro locorum & nominum (l. hominum) diverſitate, variantur; nec tamen propter hoc Eccleſiæ Catholicæ pace atque unitate diſceſſum eſt. Thoſe rites varied in diverſe places, retaining ſtill the Unity of the Faith*; ſo as to matter of Government, mens miſtakes do ariſe from an univerſal concluſion deduced out of particular premiſſes; and what they think was done in one place, they conclude muſt be done in all: Whereas theſe are theſe grounds inducing me probably to conclude that they obſerved not the ſame courſe in all places. Which when an impartial Reader hath ſoberly conſidered (with what hath gone before,) I am in hopes, the *Novelty* of this opinion may not prejudicate its entertainment with him. My grounds are theſe, *Firſt, From the different ſtate, condition and quantity of the Churches planted by the Apoſtles. Secondly, From the multitude of unfixed officers in the Church then, which acted with authority over the Church where they were reſident. Thirdly, from the different cuſtomes obſerved in Several Churches as to their Government after the Apoſtles deceaſe.* I begin with the *firſt, The different State, condition and quantity of the Churches planted by the Apoſtles:* For which we are to conſider theſe things; *Firſt*, That God did not give the Apoſtles alike ſucceſs of their labours in all places. *Secondly*, That a ſmall number of believers did not require the ſame number, which a great Church did, to teach and govern them. *Thirdly*, that the Apoſtles did ſettle Church Officers according to the probability of increaſe of believers, and in order thereto, in ſome great places. *Firſt, That God did not give the Apoſtles equall ſucceſs to their labours in all places.* After God called them to be *Fiſhers of men*, it was not every draught which filled their net with whole ſhoals of fiſhes; ſometimes they might toyl all night ſtill and catch nothing, or very little. It was not every Sermon of *Peters* which converted three thouſand: the whole world might at that rate ſoon have become Chriſtian, although there had been but few Preachers beſides the Apoſtles. God gave them ſtrange ſucceſs at firſt, to encourage them the better to meet

Cypr. Ep. 75. n. 5.

with difficulties afterwards; In ſome places God told them he had much people, in others we read but of few that believed. *At* Corinth Paul *Plants, and* Apollos *Waters, and God gives an abundant increaſe*; but at *Athens* (where if moral diſpoſitions had fitted men for grace, and the improvements of nature, we might have expected the greateſt number of Converts) yet here we read of many mocking, and others
Act. 17. 34. delaying, and but of very few believing: *Dionyſius* and *Damaris* and ſome others with them. The plantations of the Apoſtles were very different, not from the nature of the ſoile they had to deal with, but from the different influence of the Divine Spirit upon their endeavours in ſeveral pla-
Rom. 16 2. ces. We cannot think that the Church at *Cenchrea* (for ſo it is called) was as well ſtockt with believers as that at *Corinth*. Nay the Churches generally in the Apoſtles times were not ſo filled with numbers as men are apt to imagine them to be. I can as ſoon hope to find in Apoſtolical times *Dioceſan* Churches as *Claſſical* and *Provincial*; yet this doth
Par. 1. *ch* 6. *ſ.* 8. *p.* 129. not much advantage the Principles of the Congregational men, as I have already demonſtrated. Yet I do not think that all Churches in the Apoſtles times were but one Congregation; but as there was in Cities many Synagogues, ſo there might be many Churches out of thoſe Synagogues enjoying their former liberties and priviledges. And they that will ſhew me where five thouſand Jews and more did ordinarily meet in one of their Synagogues for publick worſhip, may gain ſomething upon me, in order to believing the Church of *Jeruſalem* to be but one congregation, and yet not perſwade me, till they have made it appear, that the Chriſtians then had as publick ſolemn ſet meetings as the Jews had; which he that underſtands the ſtate of the Churches at that time, will hardly yield to the belief of. I confeſs, I cannot ſee any rule in Scripture laid down for diſtributing congregations: but this neceſſity would put them upon; and therefore it were needleſs to preſcribe them; and very little, if any reaſon, can I ſee on the other ſide, why, where there were ſo much people as to make diſtinct congregations, they muſt make diſtinct Churches from one another; but of that largely in the next Chapter.

All

All Churches then we ſee were not of an equal extent. The *ſecond* premiſal reaſon will grant, *viz.* that a ſmall Church did not require the ſame number of Officers to rule it, which a great one did. For the duty of officers lying in reference to the people, where the people was but few, one conſtant ſetled Officer with Deacons under him, might with as much eaſe diſcharge the work, as in a numerous Church, the joint help of many officers was neceſſary to carry it on. The ſame reaſon that tells us that a large flock of ſheep conſiſting of many thouſands doth call for many Shepherds to attend them, doth likewiſe tell us that a ſmall flock may be governed with the care of one ſingle Shepherd watching continually over them. The *third* premiſal was that in great Cities the Apoſtles did not only reſpect the preſent guidance of thoſe that were converted, but eſtabliſhed ſuch as might be uſeful for the converting and bringing in of others to the faith, who were as yet *ſtrangers to the Covenant of promiſe, and aliens from the* πολιτεια, *ſociety of Chriſtians.* And here I conceive a miſtake of ſome men lies, when they think the Apoſtles reſpected only the ruling of thoſe which were already converted; for though this were one part of their work, yet they had an eye to the main deſign then on foot, the ſubjecting the world to the obedience of Faith, in order to which it was neceſſary in places of great reſort and extent, to place not only ſuch as might be ſufficient to ſuperintend the affairs of the Church, but ſuch as might lay out themſelves the moſt in preaching the Goſpel in order to converting others. Haveling laid down theſe things by way of premiſal, we will ſee what advantage we can make of them in order to our purpoſe. *Firſt* then I ſay, *that in Churches conſiſting of a ſmall number of believers, where there was no great probability of a large increaſe afterwards, One ſingle Paſtour with Deacons under him, were only conſtituted by the Apoſtles for the ruling of thoſe Churches.* Where the work was not ſo great but a Paſtor and Deacons might do it, what need was there of having more? and in the great ſcarcity of fit perſons for ſettled rulers then, and the great multitude and

neceſſity of unfixed officers for preaching the Goſpel abroad, many perſons fit for that work could not be ſpared to be conſtantly Reſident upon a place. Now that in ſome places at firſt there were none placed but only a Paſtor and Deacons, I ſhall confirm by theſe following Teſtimonies. The firſt is that of *Clement* in his Epiſtle. Κατὰ χώρας οὖν καὶ πόλεις κηρύσσοντες, καθίστανον τὰς ἀπαρχὰς αὐτῶν, δοκιμάσαντες τῷ πνεύματι, εἰς ἐπισκόπους καὶ διακόνους τῶν μελλόντων πιστεύειν. *The Apoſtles therefore preaching abroad through Countreys and Cities, ordained the Firſt-fruits of ſuch as believed, having proved them by the ſpirit to be Biſhops and Deacons for them that ſhould afterwards believe.* Whether by χώρας we underſtand *Villages* or *regions*, is not material; for it is certain here the Author takes it as diſtinct from Cities; and there is nothing, I grant, expreſſed where the Apoſtles did place Biſhops and Deacons excluſive of other places, *i. e.* whether only in Cities or Countreys; but it is evident by this, that wherever they planted Churches, they ordained Biſhops and Deacons, whether thoſe Churches were in the City or Countrey. And here we find no other Officers ſetled in thoſe Churches but Biſhops and Deacons; and that there were no more in thoſe Churches then he ſpeaks of, appears from his deſign of paralleling the Church-officers in the Goſpel, to thoſe under the Law: and therefore it was here neceſſary to enumerate all that were then in the Churches. The main controverſie is, what theſe Biſhops were; whether many in one place, or only one; and if but one, whether a Biſhop in the modern ſenſe or no. For the firſt, here is nothing implying any neceſſity of having more then one in a place, which will further be made appear by and by, out of other teſtimonies which will help to explain this. As for the other thing, we muſt diſtinguiſh of the notion of a Biſhop: For he is either ſuch a one as hath none over him in the Church; or he is ſuch a one as hath a power over Preſbyters acting under him, and by authority derived from him. If we take it in the firſt ſenſe, ſo every Paſtor of a Church, having none exerciſing juriſdiction over him, is a Biſhop; and ſo every ſuch ſingle Paſtor in the Churches of the Primitive times was a Biſhop in this ſenſe, as every Maſter

p. 54.

of

of a Family before ſocieties for government were introduced, might be called a King, becauſe he had none above him to command him: but if we take a Biſhop in the more proper ſenſe, for one that hath power over Presbyters and people, ſuch a one theſe ſingle Paſtors were not, could not be. For it is ſuppoſed that theſe were only ſingle Paſtours; but then it is ſaid that after other Presbyters were appointed, then theſe ſingle Paſtours were properly Biſhops; but to that I anſwer; *Firſt*, they could not be proper Biſhops by vertue of their firſt conſtitution; for then they had no power over any Presbyters, but only over the Deacons and people; and therefore it would be well worth conſidering how a power of juriſdiction over Presbyters can be derived from thoſe ſingle Paſtours of Churches that had no Presbyters joined with them. It muſt be then clearly and evidently proved that it was the Apoſtles intention that theſe ſingle Paſtors ſhould have the power over Presbyters when the Churches neceſſity did require their help, which intention muſt be manifeſted and declared by ſome manifeſtation of it as a Law of Chriſt, or nothing can thence be deduced of perpetual concernment to the Church of Chriſt. *Secondly*, either they were Biſhops before, or only after the appointment of Presbyters; if before, then a Biſhop and a Presbyter having no Biſhop over him, are all one; if after only, then it was by his communicating power to Presbyters to be ſuch, or their choice which made him their Biſhop; if the firſt, then Presbyters *quoad ordinem* are only a humane inſtitution, it being acknowledged that no evidence can be brought from Scripture for them; and for any act of the Apoſtles not recorded in Scripture for the conſtituting of them, it muſt go among unwritten traditions; and if that be a Law ſtill binding the Church, then there are ſuch which occur not in the word of God, and ſo that muſt be an imperfect copy of divine Laws: if he were made Biſhop by an act of the Presbyters, then Presbyters have power to make a Biſhop, and ſo Epiſcopacy is an humane inſtitution depending upon the voluntary act of Presbyters But the cleareſt evidence for one ſingle Paſtour with Deacons in ſome Churches at the beginning of Chriſtianity, is that

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of *Epiphanius*, which though somewhat large, I shall recite, because if I mistake not, the curtailing of this testimony hath made it speak otherwise then ever *Epiphanius* meant. Καὶ οὐκ οἶδεν ὁ τὴν ἀκολουθίαν τῆς ἀληθείας ἀγνοήσας, καὶ ἱστορίαις βαθυτάταις μὴ ἐντυχὼν, ὅτι νέου ὄντος κηρύγματος, πρὸς τὰ ὑποπίπτοντα ἔγραφεν ὁ ἅγιος ἀπόστολος· ὅπου μὲν ἦσαν ἐπίσκοποι ἤδη καταστάθέντες, ἔγραφεν ἐπισκόποις καὶ διακόνοις· οὐ γὰρ πάντα εὐθὺς ἠδυνήθησαν οἱ ἀπόστολοι καταστῆσαι· πρεσβυτέρων γὰρ ἐγίνετο χρεία καὶ διακόνων· διὰ γὰρ τῶν δύο τούτων τὰ ἐκκλησιαστικὰ δύναται πληροῦσθαι: ὅπου δὲ οὐκ εὑρέθη τὶς ἄξιος ἐπισκοπῆς, ἔμεινεν ὁ τόπος χωρὶς ἐπισκόπου· ὅπου δὲ γέγονε χρεία καὶ ἦσαν ἄξιοι ἐπισκοπῆς, κατεστάθησαν ἐπίσκοποι· πλήθους δὲ μὴ ὄντος, οὐχ εὑρέθησαν ἐν αὐτοῖς πρεσβύτεροι κατασταθῆναι, καὶ ἠρκέσθησαν ἐπὶ τῶν κατὰ τόπων μόνῳ ἐπισκόπῳ· ἄνευ δὲ διακόνου ἐπίσκοπον ἀδύνατον εἶναι, &c. The sense of *Epiphanius* is very intricate and obscure; we shall endeavour to explain it: He is giving *Aerius* an account why *Paul* in his Epistle to *Timothy* mentions only Bishops and Deacons and passeth over Presbyters. His account is this, *first he chargeth* Aerius *with ignorance of the series of history* (which he calls ἀκολουθία τῆς ἀληθείας) *and the profound and antient records of the Church, wherein it is expressed that upon the first preaching the Gospel, the Apostle writ according to the present state of things. Where Bishops were not yet appointed* (for so certainly it should be read ὅπου μὴ ἦσαν ἐπίσκοποι, not ὅπου μὲν, for then he must contradict himself) *the Apostle writes to Bishops and Deacons; (for the Apostles could not settle all things at first) for there was a necessity of Presbyters, and Deacons; for by these two orders all Ecclesiastical offices might be performed: for where* (so I read it ὅπου γὰρ, not ὅπου δὲ, as the sense clearly carries it) *there was not found any worthy of being a Bishop, the place remained without one; But where necessity required one, and there were some found fit for that office, there some were ordained Bishops; but for want of convenient number, there could be no Presbyters found out to be ordained, and in such places they were contented with the Bishop and Deacons; for without their ministry the Bishop could not be.* So that according to *Epiphanius*, there were three several states of Churches in the Apostles times; first some Churches where there were only Presbyters and Deacons

Epiph. c. Aerium haeres. 75. p. 905. &c. ed. Petav.

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cons without a Biſhop. For if *Epiphanius* ſpeaks not at firſt of places where Presbyters were without a Biſhop, he muſt be guilty of a vain and empty *Tautology*, for he after tells us where the neceſſity of the Church required it; a Biſhop was made; therefore before he ſpeaks of places only where Presbyters and Deacons were; and otherwiſe he would not anſwer *Aerius* about 1 *Tim.* 4. 14. which it is his deſigne to do, about *The laying on of the hands of the Presbyterie*; he grants then that at firſt in ſome places there were only Presbyters and Deacons, as when the Apoſtle writes to *Biſhops and Deacons* (where Biſhops at that time of the Church were only Presbyters) of which two orders, Presbyters and Deacons, there was an abſolute neceſſity; and the account he gives why they ſetled no higher orders above them is, ὃ γὰρ πάντα εὐθὺς ἐδυνήθησαν οἱ ἀπόστολοι κατασῶσαι, *The Apoſtles could not ſettle all things at firſt*; which words are to be read with a *Parentheſis*, giving an account why ſometimes only Biſhops and Deacons were ſetled, that is, Presbyters ſo called. But ſaith he, where neceſſity called for a higher order of Biſhops above Presbyters, and any were found qualified for it, there ſuch were appointed; and if by reaſon of the want of perſons of ſufficient abilities to be made Presbyters in thoſe places, there they were contented with ſuch a ſuperiour Biſhop and Deacons aſſiſting of him; Some Churches then according to his judgment, had a company of Presbyters to rule them being aſſiſted with Deacons; others had only a ſingle Biſhop with Deacons, and after when the numbers were increaſed, and perſons qualified were found, there were both Biſhop, Presbyters and Deacons. For the account which he gives of the former want of ſome officers in ſome Churches, is this, ἕως (Read ἕπω, as the learned Dr. well corrects it) ἡ ἐκκλησία λαβοῦσα τὰ πληρώματα τῆς οἰκονομίας, ἕπω κατ' ἐκεῖνο καιρὸν ἦσαν οὕτως. ἡ γὰρ ἕκαστον πρᾶγμα οὐκ ἀπ' ἀρχῆς τὰ πάντα ἔχει, ἀλλὰ μεταβάλλοντος τοῦ χρόνου τὸ πρὸς τελείωσιν τῶν χρόνων καταρτίζεται. *For the Church not yet having all her offices filled, things were fain to remain in that ſtate. For nothing can be compleated at firſt, but in proceſs of time every thing receives its due perfection.* So that *Epiphanius* doth not (as it is thought by ſome)

ſay, that in the firſt times of the Church, there were none but Biſhops and Deacons in all Churches, but in ſome Churches there were Presbyters and Deacons, in others Biſhops and Deacons, according to the ſtate, condition and neceſſity of the Churches. *Epiphanius* then fully and clearly expreſſeth my opinion in reference to the Apoſtles not obſerving any one conſtant courſe in all Churches, but ſetling ſometimes many Presbyters with Deacons, ſometimes only one Paſtor (who is therefore called a Biſhop) with Deacons, and ſo ſetling officers according to the particular occaſions of every Church. The next conſiderable teſtimony to our purpoſe is that of *Clemens Alexandrinus* in *Euſebius* concerning St. *John* after his return out of the Iſle of *Patmos* to *Epheſus*, upon the death of *Domitian*. Ἀπὶει παραχρῆ λέμβου ἢ ἐπὶ τὰ πλησιόχωρα σφᾶ ἐθνῶν, ὅπου μὲν ἐπισκόπους καθιστῶν, ὅπου δὲ ὅλας ἐκκλησίας ἀρμόσων, ὅπου δὲ γε κλῆρον ἕνα τινὰ τῶν ὑπὸ τοῦ πνεύματος σημαινομένων κληρώσων. *He went abroad upon invitation into the neighbour provinces, in ſome places conſtituting Biſhops, in ſome ſetting in order whole Churches, in others chooſing out one from among the reſt of thoſe who were deſigned by the ſpirit of God, whom he ſet over the Church.* So *Salmatius* contends it muſt be tranſlated, κλῆρον ἕνα τινὰ κληρώσων, *chooſing one into the Clergy*; for thoſe who were choſen Biſhops are ſaid κληροῦσθαι ἐπισκοπὴν and they that chooſe are ſaid κληροῦσιν. Whence *Salmatius* gathers out of theſe words the very thing I am now upon. *In majoribus urbibus plures, in minoribus pauciores Presbyteros ordinari ſolitos probabile eſt; In pagis autem aut vicis, vel puſillis oppidis, quales κώμας vel κωμοπόλεις vocabant Græci, unum aliquem Presbyterum per illa præcipuè tempora quibus non magnus erat numerus fidelium, ſuffeciſſe veriſimile eſt. That the Apoſtles ſet a greater number of Presbyters in great Cities, fewer in leſs, and in ſmall villages but one, when the number of believers was but ſmall.* We have yet one Author more who ſpeaks fully to our purpoſe. It is the Author of the *Commentaries* under *Ambroſe* his name, who frequently aſſerts this opinion I am now making good. Upon the *fourth of Epheſians* he largely diſcourſeth how things were ſetled at firſt, by the Apoſtles, by degrees, in the Church of God, evidently ſhewing that

Welo. Meſſal. cap. 4. p. 224. &c.

that the Apoſtles did not at firſt obſerve any ſetled conſtant courſe, but acted according to preſent conveniency, as they ſaw good, in order to the promoting and advancing the Churches intereſt. *Poſtquam omnibus locis Eccleſiæ ſunt conſtitutæ, & officia ordinata, aliter compoſita res eſt quam cæperat.* Thereby declaring his opinion that while Churches were conſtituting, no certain courſe was obſerved. For as he goes on, *Primum enim omnes docebant, & omnes baptizabant, quibuſcunque diebus vel temporibus fuiſſet occaſio,* &c. *Ut ergo creſceret plebs & multiplicaretur, Omnibus inter initia conceſſum eſt & evangelizare, & baptizare, & ſcripturas in Eccleſia explanare. At ubi omnia loca circumplexa eſt Eccleſia, conventicula conſtituta ſunt, & rectores & cætera officia in Eccleſiis ſunt ordinata; ut nullus de Clero auderet qui ordinatus non eſſet, præſumere officium quod ſciret non ſibi creditum vel conceſſum; & cæpit alio ordine & providentiâ gubernari Eccleſia; quia ſi omnes eadem poſſent, irrationabile eſſet, & vulgaris res, & viliſſima videretur,* &c. *Ideò non per omnia conveniunt ſcripta Apoſtoli ordinationi quæ nunc eſt in Eccleſia, quia hæc inter primordia ſunt ſcripta; Nam &* Timotheum, *(Presbyterum à ſe creatum) Epiſcopum vocat; quia primum Presbyteri Epiſcopi apellabantur, ut recedente uno ſequens ei ſuccederet,* &c. *At firſt* he ſaith, *all Church Offices lay open to all perſons, and every one did preach and baptize upon all occaſions; but afterwards when Congregations were eſtabliſhed and Churches ſetled, then none undertook that office but thoſe that were ordained to it. Thence it is that the Apoſtles writings are not ſuitable to the preſent ſtate of the Church, becauſe they were penned in the time when things were not fully ſetled. For he calls* Timothy, *who was made a Presbyter by him, Biſhop; for ſo at firſt the Presbyters were called, among whom this was the courſe of governing Churches, that as one withdrew, another took his place.* This opinion of his he takes occaſion to ſpeak of in ſeveral other places. Upon Rom. 16. *Adhuc rectores Eccleſiæ paucis erant in locis, Governours of Churches were as yet ſet up but in few places.* And upon 1 *Cor.* 1. *Propterea Eccleſiæ ſcribit, quia adhuc ſingulis Eccleſiis rectores non erant inſtituti.* And on 1 *Cor.* 11. *Convenientibus Presbyteris, quia adhuc rectores Eccleſiis non*

omnibus locis erant conſtituti. By all which it is moſt evident, that this both learned and antient Author, cited with no ſmall reſpect by St. *Auſtin*, doth not conceive that the Apoſtles did obſerve any ſettled form in the governing Churches, but acted according to principles of prudence, according to the neceſſities and occaſions of the ſeveral Churches by them planted: So that where there were ſmall Churches, one Paſtor with Deacons might ſuffice: in greater Churches ſome were governed by Presbyters acting in Common Council: others though very few at firſt, had Rectors placed over them, for ſuperintending the Affairs of the Church.

Secondly, In Churches conſiſting of a multitude of believers, or where there was a probability of great increaſe by preaching the Goſpel, the Apoſtles did ſetile a College of Presbyters whoſe office was partly to govern the Church already formed, and partly to labour in the Converting more. So that in all great Cities where either the work was already great, by the number of believers, in order to the diſcharging of Paſtoral duties to them; or where it was great in reference to the number they laboured in converting of, it ſeems moſt conſonant to reaſon and Scripture, that the work ſhould be carried on by the joynt aſſiſtance of many aſſociated in the ſame work. For, is it any wayes probable that the Apoſtles ſhould ordain Biſhops μᾶλλον τῶν πιστεύειν, as *Clemens* ſpeaks, of ſuch as ſhould believe, and not ordain perſons in order to the making them believe? They have either a very low opinion of the work of a Goſpel Biſhop, or very little conſideration of the zeal, activity and diligence which was then uſed in preaching, reproving, exhorting, in ſeaſon, out of ſeaſon, that think one ſingle perſon was able to undergo it all. Diſcipline was a great deal more ſtrict then, preaching more diligent, men more apprehenſive of the weight of their function, then for any to undertake ſuch a care and charge of ſouls, that it was impoſſible for them, ever to know, obſerve, or watch over ſo as to give an account for them. Beſides, while we ſuppoſe this one perſon imployed in the duties of his flock, what leiſure or time could ſuch a one have to preach to the Gentiles and unbelieving Jews in order to their

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Converſion? The Apoſtles did not certainly aim at the ſetting up the honour of any one perſon, making the office of the Church a matter of State and Dignity more then imployment, but they choſe men for their activity in preaching the Goſpel, and for their uſefulneſs in labouring to add continually to the Church. Men that were imployed in the Church then, did not conſult for their eaſe or honour, and thought it not enough for them to ſit ſtill and bid others work; but they were of *Pauls* mind, *Neceſſity was laid upon them, yea, Woe was unto them if they preached not the Goſpel.* 1 Cor. 9. 16. Publick prayers were not then looked on as the more principal end of Chriſtian Aſſemblies then preaching, nor conſequently that it was the more principal office of the *Stewards of the myſteries of God*, to read the publick prayers of the Church, then *to preach in ſeaſon and out of ſeaſon.* And is it not great pitty two ſuch excellent and neceſſary duties ſhould ever be ſet at variance, much leſs one ſo preferred before the other, that the one muſt be eſteem'd as *Sarah*, and the other almoſt undergo the hardſhip of *Hagar*, to be looked on as the Bond-woman of the Synagogue, and be turned out of doors? Praying and preaching are the *Jachin* and *Boaz* of the *Temple*, like *Rachel* and *Leah*, both which built up the houſe of *Iſrael*: but though *Rachel* be fair and beautiful, yet *Leah* is the more fruitful: though prayer be lovely and amiable in the ſight of God, when it comes from a heart ſeriouſly affected with what it ſpeaks, yet preaching tends more to the turning mens ſouls from ſin unto God. Were the Apoſtles commiſſioned by Chriſt to go pray or preach? and what is it wherein the Miniſters of the Goſpel ſucceeded the Apoſtles? is it in the office of praying, or preaching? Was *Paul* ſent not to baptize but to preach the Goſpel? and ſhall we think thoſe who ſucceed *Paul* in his office of preaching, are to look upon any thing elſe as more their work then that? Are Miniſters in their ordination ſent forth to be readers of publick prayers, or to be Diſpenſers of Gods holy word? Are they ordained wholly to this, and ſhall this be the leſs principal part of their work? I, but the reaſon is unanſwerable, that praying is the more principal end of Chriſtian Aſſemblies then preaching; For the one

is the end, and the other the means. If by end be meant the ultimate end of all Christian duties, that cannot be prayer: for that is a means it selfin order to that; but the chief end is the fitting souls for eternal praises; if then this unanswerable reason hold good, the principal end of Christian Assemblies must be only praises of God, and not prayers; if by the end be meant the immediate end of preaching as that it refers to, that cannot be; for the immediate end of preaching, if the Apostle may be judge, is instruction and edification in the faith; Rather preaching is the end of praying, in as much as the blessings conveyed by preaching are the things which men pray for. But this is but one of those unhappy consequences which follows mens judging of the service of God rather by the practices of the Church, when it came to enjoy ease and plenty, then by the wayes and practices of the first and purest Apostolical times: when the Apostles who were best able to judge of their own duty, looked upon themselves as most concerned in the preaching of the Gospel. But to this it is commonly said that *there was great reason for it then, because the world was to be converted to Christianity, and therefore preaching was the more necessary work at that time; but when a Nation is converted to the faith, that necessity ceaseth.* It is granted that the preaching of the Gospel in regard of its universal extent was more necessary then, which was the foundation of Christs instituting the Apostolical office with an unlimited Commission: but if we take preaching as referring to particular Congregations, there is the same necessity now that there was then. People need as much instruction as ever, and so much the more in that they are apt to think now the name of Christians will carry them to heaven. It is a too common and very dangerous deceit of men to look upon Religion more as a profession, then matter of life, more as a Notion then an inward temper. Men must be beat off from more things which they are apt to trust to for Salvation now, then in those times: Men could not think so much then, that diligence in publick Assemblies, and attendance at publick prayers was the main of religion. Few would profess Christianity in those times, but such as were resolved before hand rather to let go their lives

lives then their profession; but the more profess it now, without understanding the terms of salvation by it, the greater necessity of preaching to instruct men in it. But I think more need not be said of this to those that know it is another thing to be a Christian then to be called so. But however it is granted that in the Apostles times preaching was the great work; and if so, how can we think one single person in a great City was sufficient, both to preach to, and rule the Church, and to preach abroad in order to the conversion of more from their Gentilisme to Christianity? Especially if the Church of every City was so large as some would make it, *viz.* to comprehend all the believers under the civil jurisdiction of the City, and so both City and Countrey the only charge of one single Bishop. I think the vastness of the work, and the impossibility of a right discharge of it by one single person, may be argument enough to make us interpret the places of Scripture which may be understood in that sense, as of more then one Pastour in every City; as when the Apostles are said to ordain Elders in every City, and *Pauls* calling for the Elders from *Ephesus*, and his writing to the Bishops and Deacons of the Church of *Philippi*; this consideration, I say, granting that the texts may be otherwise understood, will be enough to incline men to think that in greater Cities there was a Society of Presbyters acting together for the carrying on the work of the Gospel in converting some to, and building up of others in the faith of Christ. And it seems not in the least manner probable to me that the care of those great Churches should at first be intrusted in the hands of one single Pastour and Deacon, and afterwards a new order of Presbyters erected under them, without any order or rule laid down in Scripture for it, or any mention in Eccleſiastical writers of any such after institution. But instead of that in the most populous Churches we have many remaining footsteps of such a College of Presbyters there established in Apostolical times. Thence *Ignatius* sayes *Ep. ad Tal.* the Presbyters are ὡς συνέδριον θεοῦ καὶ ὡς σύνδεσμοι Ἀποστόλων *the* Sanhedrin *of the Church appointed by God; and the Bench* *Tral. l. 6.* *of Apostles sitting together for ruling the affairs of the Church.* & 3. p. 129. And *Origen* calls it σύστημα ἐν ἑκάστῃ πόλει κατὰ λόγον θεοῦ, *a Col-*

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lege in every City of Gods appointing; and Victor Bishop of *Rome*, *Collegium nostrum*, and *Collegium fratrum*; Pius, *Pauperem Senatum Christi apud Romam constitutum*. Tertullian, *Probatos seniores*; Cyprian, *Cleri nostri sacrum venerandumque Consessum*; and to Cornelius Bishop of *Rome* and his Clergy, *Florentissimo Clero tecum præsidenti*. Jerome, *Senatum nostrum, catum Presbyterorum, & commune consilium Presbyterorum quo Ecclesia gubernabantur*. Hilary, *Seniores sine quorum consilio nihil agebatur in Ecclesia*; the Author *de 7 ordinibus ad Rusticum*, calls the Presbyters *negotiorum judices*. Eutychius tells us there were twelve Presbyters at *Alexandria* to govern the Church; and the author of the Itinerary of *Peter*, of as many constituted at *Cæsarea*, who though counterfeit, must be allowed to speak, though not *vera*, yet *veri similia*; though not true, yet likely things. Is it possible all these authors should thus speak of their several places, of a College of Presbyters acting in power with the Bishop, if at first Churches were governed only by a single Bishop and afterwards by subject Presbyters that had nothing to do in the rule of the Church, but were only deputed to some particular offices under him, which they were impowered to do only by his authority? But the joynt rule of Bishop and Presbyters in the Churches will be more largely deduced afterwards. Thus we see a Company of Presbyters setled in great Churches; now we are not to imagine that all these did equally attend to one part of their work, but all of them according to their several abilities laid out themselves; some in overseeing and guiding the Church; but yet so as upon occasion to discharge all pastoral acts belonging to their function; others betook themselves chiefly to the conversion of others to the faith, either in the Cities or the adjacent Countries. By which we come to a full, clear and easie understanding of that so much controverted place, 1 *Tim.* 5. 17. Οἱ καλῶς προεστῶτες πρεσβύτεροι διπλῆς τιμῆς ἀξιούσθωσαν, μάλιστα οἱ κοπιῶντες ἐν λόγῳ καὶ διδασκαλίᾳ, *The Elders that rule well are counted worthy of double honour, especially they that labour in the word and doctrine.* Not as though it implyed a distinct sort of Elders from the Pastors of Churches, but among those Elders that were ordained in the great Churches, some attended most

Pius ep ad Just Vien. Apol. c. 39 Cypri. ep. 550. s. 19. & 21. Hieronym. in Is. l. 2. c. 3. Ep. ad Evag. in 1 Tim. 5.

moſt to ruling the flock already converted, others laboured moſt in converting others to the faith by preaching; though both theſe being entred into this peculiar function of laying themſelves forth for the benefit of the Church, did deſerve both reſpect and maintenance; yet eſpecially thoſe who imployed themſelves in converting others, in as much as their burden was greater, their labours more abundant, their ſuffering more; and their very office coming the neareſt to the Apoſtolical function. So *Chryſoſtome* reſolves it upon the fourth of the *Epheſians*, that thoſe who were κατὰ κώμας καὶ πόλεις ἀφωρισμένοι, as *Theodoret* expreſſeth it, the πεμένες καὶ διδάσκαλοι, the fixed officers of particular Churches were inferior to thoſe who went abroad preaching the Goſpel; καὶ πάνυ ſaith he τῶν περιόντων καὶ εὐαγγελιζομένων οἱ καθήμενοι καὶ σὲι ἵνα τόπον ἠρτημένοι. An evident argument that the Apoſtle doth not intend any ſort of Elders diſtinct from theſe ordained Presbyters of the Cities, is from that very argument which the greateſt friends to Lay-Elders draw out of this Epiſtle, which is from the promiſcuous acception of the words πρεσβύτερος and ἐπίσκοπος in this very Epiſtle to *Timothy:* The argument runs thus: The Presbyters ſpoken of by *Paul* in his Epiſtle to *Timothy*, are Scripture Biſhops; but Lay-Elders are not Scripture Biſhops; therefore theſe cannot here be meant. The *major* is their own, from 1 *Tim.* 3. 1. compared with 4. 14. Thoſe which are called Presbyters in one place, are Biſhops in another; and the main force of the argument lies in the promiſcuous uſe of Biſhop and Presbyter; now then if lay-Elders be not ſuch Biſhops, then they are not *Pauls* Presbyters; now *Pauls* Biſhops muſt be διδακτικοὶ fit to teach, and therefore no Lay-Elders. Again we may conſider where *Timothy* now was, *viz.* at *Epheſus*, and therefore if ſuch Lay-Elders anywhere, they ſhould be there; Let us ſee then whether any ſuch were here. It is earneſtly pleaded by all who are for lay-Elders, that the *Elders* ſpoken of *Acts* 20. 17. were the particular *Elders* of the Church of *Epheſus*, to whom *Paul* ſpoke, *v.* 28. where we may find their office at large deſcribed. *Take heed therefore unto your ſelves, and all the flock over which God hath made you* ἐπισκόπους *Biſhops or overſeers.* Here both we ſee the names *Elders* and *Biſhops* confounded again,

Chryſoſt. in 4. Eph. hom. 11.

so that he that was an *Elder* was a *Bishop* too; and the office of such *Elders* described to be a *Pastoral charge over a flock*, which is inconsistent with the notion of a Lay-Elder. *Paul* sent indefinitely for the *Elders of the Church* to come to him; if any such then at *Ephesus*, they must come at this summons; all the *Elders* that came were such as were *Pastors* of Churches; therefore there could be no *Lay-Elders* there. I insist not on the argument for maintenance implyed in double honour, which *Chrysostome* explains by ἡ τῶν ἀναγκαίων χορηγία a supply of necessaries to be given to them, as appears by *v.* 18. which argument *Blondel* saw such strength in, that it brought him quite off from Lay-Elders in that place of *Timothy*. And he that will remove the controversie from the Scriptures, to the Primitive Church, (as we have no reason to think that if such were appointed, they should be so soon laid aside) will find it the greatest difficulty to trace the foot-steps of a Lay-Elder, through the records of antiquity for the three first centuries especially. The writers of the Church speak of no Presbyters but such as preached, as appears by *Origen*, *Cyprian* and *Clement* of *Alexandria*; *Origen* saith, *Omnes Episcopi atque omnes Presbyteri vel Diaconi erudiunt nos, & erudientes adhibent correptionem, & verbis austerioribus increpant.* We see all Bishops, Presbyters, and Deacons were in his time preachers. So *Cyprian*, *Et credideram quidem Presbyteros & Diaconos qui illic præsentes sunt, monere vos & instruere plenissimè circa Evangelii legem, sicut semper ab antecessoribus nostris factum est*; and in another Epistle about making *Numidicus* a Presbyter, he thus expresseth it, *ut ascribatur Presbyterorum Carthaginensium numero, & nobiscum sedeat in Clero*; where to sit as one of the Clergy, and to be a Presbyter, are all one. Again had there been any such Elders, it would have belonged to them to lay hands on those that were reconciled to the Church after Censures; now hands were only laid on *ab Episcopo & Clero*, as the same *Cyprian* tells us. *Clemens Alexandrinus* describing the office of a Presbyter, hath these words, ἔτι δὲ πρεσβύτερος ὅτι πρὸ ὄντων τῆς ἐκκλησίας, &c. ἐὰν ποιῇ καὶ διδάσκῃ τὰ τοῦ κυρίου, where teaching is looked on as his proper work; And elsewhere more fully and expresly, discoursing of

. . jure plebis in regim. Eccles. p. 79. &c.

Orig hom. 1. in Psal. 37.

Cyprian. l. 1. ep. 11.

Ep 35.

Ep. 12.

Strom l 6. p 667. ed. Heins.

of the ſervice of God, and diſtinguiſhing it according to the twofold ſervice of men, βελτιωτικὴ καὶ ὠφελητικὴ, he applies theſe to the Church, ὁμοίως δὲ καὶ τῷ ἐκκλησίᾳ, τῷ μὲ βελτιωτικὴν ὁι πρεσβύτεροι σύνεσιν εἰκόνα, τῷ ὑπηρετικὴν δὲ οἱ διάκονοι. The former he explains afterwards, ὅπως ἂν καὶ παιδεύων καὶ τελαγμένος εἰς τὴν τῶν ἀνθρώπων ἐπανόρθωσιν. *A Presbyter is one that is ordained or appointed for the inſtruction of others in order to their amendment*, implying thereby the office of a Presbyter to be wholly converſant about teaching others, to whom on that account the art of making others better doth properly belong. So much may ſuffice for thoſe firſt times of the Church, that there were no Presbyters then but ſuch as had the office of teaching. And for the times afterwards of the Church, let it ſuffice at preſent to produce the teſtimony of a Council held in the beginning of the ſeventh Century, who abſolutely decree againſt all Lay perſons medling in Church affairs; *Nona actione didicimus, quoſdam ex noſtro Collegio contra mores Eccleſiaſticos, laicos habere in rebus divinis conſtitutos Oeconomos. Proinde pariter tractantes eligimus ut unuſquiſque noſtrum ſecundum Chalcedonenſium Patrum decreta, ex proprio Clero Oeconomum ſibi conſtituat. Indecorum eſt enim Laicum eſſe vicarium Epiſcopi, & ſeculares in Eccleſia judicare; in uno enim eodemq; officio non debet eſſe diſpar profeſſio.* A Canon directly level'd againſt all *Lay Chancellours in Biſhops Courts*, and ſuch *Officials*: But doth with the ſame force take away all Lay-Elders, as implying it to be wholly againſt the rule of the Church to have ſecular perſons to judge in the Church. But although I ſuppoſe this may be ſufficient to manifeſt the no divine right of Lay-Elders; yet I do not therefore abſolutely condemn all uſe of ſome perſons choſen by the people to be as their repreſentatives, for managing their intereſt in the affairs of the Church. For now the voice of the people (which was uſed in the Primitive times) is grown out of uſe: Such a conſtitution, whereby two or more of the peoples choice might be preſent at Church debates, might be very uſeful, ſo they be looked on only as a prudential humane conſtitution, and not as any thing founded on Divine right. So much may ſerve for the firſt ground of the probability of the Apoſtles not

Strom. l. 7. p. 700.

Concil. Hiſpal. 2. decret. 9.

obſerving one ſetled form of Church-Government, which was from the different ſtate, quantity and condition of the Churches by them planted. The *ſecond* was *from the multitude of unfixed Officers reſiding in ſome places, who managed the affairs of the Church in chief during their Reſidence.* Such were the Apoſtles and Evangeliſts and all perſons almoſt of note in Scripture. They were but very few, and thoſe in probability not the ableſt, who were left at home to take care of the ſpoil; the ſtrongeſt and ableſt like *Commanders in an Army*, were not ſetled in any *Troop*, but went up and down from this company to that, to order them and draw them forth: and while they were, they had the chief authority among them; but as Commanders of the Army, and not as officers of the Troop. Such were Evangeliſts who were ſent ſometimes into this Countrey to put the Churchs in order there, ſometimes into another; but where ever they were, they acted as Evangeliſts and not as fixed Officers. And ſuch were *Timothy* and *Titus*, notwithſtanding all the oppoſition made againſt it, as will appear to any that will take an impartial ſurvey of the arguments on both ſides. Now where there were in ſome places Evangeliſts, in others not; and in many Churches it may be no other officers but theſe, it will appear, that the Apoſtles did not obſerve one conſtant form, but were with the Evangeliſts travelling abroad to the Churches, and ordering things in them as they ſaw cauſe. But as to this I have anticipated my ſelf already. The *laſt* ground was from the *different cuſtom obſerved in the Churches, after the Apoſtles times.* For no other rational account can be given of the different opinions of *Epiphanius*, *Jerome* and *Hilary*, but this, that one ſpeaks of the cuſtome of ſome Churches, and the other of others. In ſome as at *Alexandria*, the Preſbyters might chooſe their Biſhop; in other places it might be as *Hilary* ſaith, that when the firſt withdrew, another ſucceeded him. Not by a monthly or Annual *rotation* of *Preſidents*, as ſome have imagined, but by a preſidency for life of one, upon whoſe death another ſucceeded in his room. For the former opinion hath not any evidence at all for it in Scripture or Antiquity; or in the place brought to prove it. For according to this opinion, *Timothy* muſt have but his courſe in the

the *rotation of Elders at Epheſus*, which ſeems very incongruous to the office of *Timothy*. I conclude then that in all probability the Apoſtles tyed not themſelves up to one certain courſe, but in ſome Churches ſetled more or fewer Officers as they ſaw cauſe, and in others governed themſelves during life; and that at their death they did not determine any form, is probably argued from the different cuſtomes of ſeveral Churches afterwards.

§. 20. The third Conſideration touching Apoſtolical practice, is concerning the obligatory force of it in reference to us; which I lay down in theſe terms, *That a meer Apoſtolical practice being ſuppoſed, is not ſufficient of it ſelf for the founding an unalterable and perpetual right, for that form of Government in the Church, which is ſuppoſed to be founded on that practice.* This is a propoſition I am ſure, will not be yielded without proving it, and therefore I ſhall endeavour to do it by a fourfold argument. *Firſt*, becauſe many things were done by the Apoſtles without any intention of obliging any who ſucceed them afterwards to do the ſame, As for inſtance, the twelve Apoſtles going abroad ſo unprovided as they did when Chriſt ſent them forth at firſt, which would argue no great wiſdom or reaſon in that man, that ſhould draw that practice into conſequence now. Of the like nature was *Pauls* preaching ἀδάπανον εὐαγγέλιον to ſome Churches, receiving no maintenance at all from ſome Churches, as that at *Corinth*. Which inſtance is a manifeſt evidence of the monſtrous weakneſs of diſcourſe in thoſe who would make that example of *Paul* obligatory to all Miniſters of the Goſpel now. And while they would by this argument take away their Lands and tythes, inſtead of them, they give them *Plauſtra convitiorum*, whole loads of the moſt reproachful ſpeeches that ever were given to any but Chriſt and his Apoſtles. For my part, I think the Miniſters of the Goſpel would want one of the badges of Honour belonging to their office, were they not thus reproachfully uſed; It is part of the State which belongs to the true Miniſters of the Goſpel to be followed by ſuch blackmouthed Lacqueys, who by their virulent ſpeeches are ſo far their friends as to keep them from that curſe which our Saviour pronounceth, *Wo be unto you*

when all men ſpeak well of you. But let us ſee how much wooll there is after all this cry; too little to cloath the backs of Miniſters, if ſuch perſons might be their Tythe-men; but it is well they are ſo little befriended, yea ſo much oppoſed by the great Apoſtle, in that ſingular practice of his. For doth he ſay it was unlawful for him to receive a maintenance from the Churches he preached to? Nay doth he not ſet himſelf to prove not only the lawfulneſs of Miniſters taking it, but the duty of the peoples giving it, 1 *Cor.* 9. from the ſeventh to the fifteenth verſe, giving many pregnant arguments to that purpoſe? Doth he not ſay that all the Apoſtles beſides him
1 Cor.9.6. and *Barnabas*, did forbear working, and conſequently had all their neceſſities ſupplyed by the Churches? Nay doth
2 Cor.11.8. not *Paul* himſelf ſay *that he robbed other Churches, taking wages of them to do ſervice to them?* What *Paul* turned hireling, and in the plaineſt terms take wages of Churches? Yet ſo it is, and his forbearing it at *Corinth*, was apt to be interpreted as an argument that he did not love them, 2 *Cor.* 11.11. So far were they from looking upon *Paul* as a hireling in doing it. *Paul* is ſtrong and earneſt in aſſerting his right: he might have done it at *Corinth* as well as elſewhere: but from ſome prudent conſiderations of his own mentioned 2 *Cor.* 11.12. he forbore the exerciſe of his right among them, although at the ſame time he received main-
2 Cor.11.9. tenance from other places. As for any divine right of a particular way of maintenance, I am of the ſame opinion as to that which I am in reference to particular forms of Church government: and thoſe that are of another opinion, I would not wiſh them ſo much injury, as to want their maintenance till they prove it. But then I ſay, theſe things are clear in themſelves, and I think ſufficient grounds for conſcience as to the duty of paying on the one ſide, and the lawfulneſs of receiving it on the other. Firſt that a maintenance in general be given to Goſpel Miniſters, is of Divine right: *elſe the labourer was not worthy of his hire*; nor could that be true which *Paul* ſaith, *that our Lord hath ordained, that*
1 Cor.9.14. *they which preach the Goſpel ſhould live of the Goſpel. Secondly*, A maintenance in general being due, Lawful Authority may determine the particular way of raiſing it; the equity

equity of which way may be beſt derived from what was the moſt ancient practice of the world in dedicating things to God, and was approved by God himſelf among his own people, the Jews: So that the way of maintenance by *Tythes* is the moſt juſt and equitable way. *Thirdly*, It being in the Magiſtrates power to determine the way of maintenance, what is ſo determined, doth bind the conſciences of all ſubject to that power, to an obedience to it for conſcience ſake: In as much as all men are bound thus to obey the Magiſtrate in all things eſtabliſhed by him as Laws; and the very ſame reaſons any can plead for diſobedience as to this, may equally ſerve for diſobedience to any other Laws made by the ſupreme Magiſtrate. This I ſuppoſe is the cleareſt reſolution of that other more vexed then intricate controverſie about the right of Tythes; which I have here ſpoken of by occaſion of the mention of the Apoſtles practice; and becauſe it is reſolved upon the ſame principles with the ſubject I am upon. Meer Apoſtolical practice we ſee doth not bind, becauſe the Apoſtles did many things without intention of binding others. *Secondly*, the Apoſtles did many things upon particular occaſions, emergencies and circumſtances, which things ſo done, cannot bind by virtue of their doing them, any further then a parity of reaſon doth conclude the ſame things to be done in the ſame circumſtances. Thus *Pauls Celibate* is far from binding the Church, it being no univerſal practice of the Apoſtles by a Law, but only a thing taken up by him upon ſome particular grounds, not of perpetual and univerſal concernment. So community of goods was uſed at firſt by the Church of *Jeruſalem* as moſt ſuitable to the preſent ſtate of that Church; but as far as we can find, did neither perpetually hold in that Church, nor univerſally obtain among other Churches; as is moſt clear in the Church at *Corinth* by their Law-ſuits, by the different offerings of the rich and poor at the Lords Supper, and by their perſonal contributions. So the Apoſtles preaching from houſe to houſe, was for want of conveniency then of more publick places as free only for Chriſtians; although that practice binds now as far as the reaſon doth; *viz.* in its tendency

1 Cor. 9. 5.

1 Cor. 6. 1. 11. 21, 22. 16, 2.

dency

dency to the promoting the work of Salvation of mens ſouls. Laying on hands for conferring the gifts of the Holy Ghoſt can never certainly bind where the reaſon of it is ceaſed, but may ſtill continue as a rite of ſolemn prayer, and not by virtue of that practice. Obſerving the Apoſtolical decrees of *abſtaining from blood, and things ſtrangled and offered to Idols*, did hold as long as the ground of making them did, which was condeſcenſion to the Jews, although it muſt be withall acknowledged that the Primitive Chriſtians of the ſecond and third Centuries did generally obſerve them; and the Greek Church to this day; and ſome men of note and learning have pleaded for the neceſſary obſervation of them ſtill, as *Chriſt. Beoman*, *Steph. Curcellæus* in a *Diatriba* lately publiſhed to this purpoſe; to which *Grotius* is likewiſe very inclineable. Their arguments are too large here to examine, although I ſee not how poſſibly that place of *Paul* can be avoided. *Whatever is ſet in the ſhambles eat, making no ſcruple for conſcience ſake.*

Exercit. Theol. n. 26. *Curcellæus de eſu ſanguinis, &c.* *Grotius in Act. 15. 29.* 1 Cor. 10. 25.

I conclude this with what I laid down at the entrance of this Treatiſe, that where any act or Law is founded upon a particular reaſon or occaſion as the ground of it, it doth no further oblige then the reaſon or occaſion of it doth continue. Therefore before an acknowledged Apoſtolical practice be looked on as obligatory, it muſt be made appear that what they did, was not according as they ſaw reaſon and cauſe for the doing it, depending upon the ſeveral circumſtances of time, place, and perſons, but that they did from ſome unalterable Law of Chriſt, or from ſome ſuch indiſpenſable reaſons, as will equally hold in all times, places, and perſons. And ſo the obligation is taken off from Apoſtolical practice, and laid upon that Law and reaſon which was the ground of it. *Thirdly*, Offices that were of Apoſtolical appointment, are grown wholly out of uſe in the Church, without mens looking upon themſelves as bound now to obſerve them. As the Widows of the Churches, afterwards from their office called Deaconeſſes of the Church, of which number *Phœbe* was one, whom *Paul* calls the Deaconeſs of the Church at *Cenchrea*: ſo both *Origen* and *Chryſoſtome* underſtand

Part. 1. chap. 1. ſ. 6. 1 Tim. 5. 9. Rom. 16. 1.

ſtand it. Of them and their continuance in the Church for ſome Centuries of years, much is ſpoken by ſeveral Writers, and reſolved by ſeveral Councils; and yet we ſee theſe are laid aſide by the pretenders to hold cloſe to Apoſtolical practice: if that binds, certainly it doth in its plain inſtitutions; if it doth not bind in them, how can it in that which is only gathered but by uncertain conjectures to have been ever their practice? So that in the iſſue thoſe who plead ſo much for the obligatory nature of Apoſtolical practice, do not think it obligatory; for if they did, how comes this office of Widows and Deaconeſſes to be neglected? If it be anſwered that theſe are not uſeful now; then we muſt ſay, that we look upon Apoſtolical practice to be binding no further then we judge it uſeful, or the reaſon of it holds; which is as much as to ſay of its ſelf it binds not. *Fourthly*, Rites and cuſtomes Apoſtolical are altered; therefore men do not think that Apoſtolical practice doth bind. For if it did, there could be no alteration of things agreeable thereunto. Now let any one conſider but theſe few particulars, and judge how far the pleaders for a divine right of Apoſtolical practice do look upon themſelves as bound now to obſerve them: as Dipping in baptiſm, the uſe of Love-feaſts, Community of goods, the Holy kiſs, by * *Tertullian* called *ſignaculum orationis*: yet none look upon themſelves as bound to obſerve them now, and yet all acknowledge them to have been the practice of the Apoſtles: and therefore certainly though when it may ſerve for their purpoſe, men will make Apoſtolical practice to found a divine right: yet when they are gone off from the matter in hand, they change their opinion with the matter, and can then think themſelves free as to the obſervation of things by themſelves acknowledged to be Apoſtolical. Thus we are at laſt come to the end of this chapter, which we have been the longer upon, becauſe the main hinge of this controverſie did lye in the practice of the Apoſtles, which I ſuppoſe now ſo far cleared as not to hinder our progreſs towards what remains; which we hope will admit of a quicker diſpatch. We come therefore from the Apoſtles to the Primitive Church, to ſee whether by the practice of that we can find any thing whereby they looked on themſelves as obliged by an unalterable Law to obſerve any one particular form of Church Government.

Plin. ep. l. 10 ep. 97. Theod. l. 3. cap. 14. Sozom. l 4. cap. 24. Codex Theod. leg. 27. tit. de Epiſ. Conc. Chalc. cap. 14. Conc Nicen. cap. 73. Epiph. her. 79 V. Juſtell. Not. in Can. Univerſ. Eccleſ. p. 154. &c. Voſſium in Plin. ep. 97. l. 10. Salmaſ. in Apparat. p. 176.

* *De Orat.*

CHAP. VII.

The Churches Polity in the ages after the Apoſtles conſidered: Evidences thence that no certain unalterable form of Church-Government was delivered to them. 1. *Becauſe Church power did inlarge as the Churches did. Whether any Metropolitan Churches eſtabliſhed by the Apoſtles. Seven Churches of* Aſia, *whether Metropolitical; Philippi no Metropolis either in civil or Eccleſiaſtical ſenſe. Several degrees of inlargement of Churches. Churches firſt the Chriſtians in whole Cities proved by ſeveral arguments; the Eulogiæ an evidence of it. Churches extended into the neighbour territories by the preaching there of City Presbyters; thence comes the ſubordination between them. Churches by degrees inlarged to Dioceſſes; from thence to Provinces. The original of Metropolitans and Patriarches.* 2. *No certain form uſed in all Churches. Some Churches without Biſhops, Scots, Goths. Some with but one Biſhop in their whole Countrey. Scythian, Æthiopian Churches how governed. Many Cities without Biſhops. Dioceſſes much altered. Biſhops diſcontinued in ſeveral Churches for many years.* 3. *Conforming Eccleſiaſtical Government to the Civil, in the extent of Dioceſſes. The ſuburbicarian Churches what. Biſhops anſwerable to the civil Governours. Churches power riſe from the greatneſs of Cities.* 4. *Validity of ordination by Presbyters in places where Biſhops were. The caſe of* Iſchyras *diſcuſſed; inſtances given of ordination by Presbyters not pronounced null.* 5. *The Churches prudence in managing its affairs, by the ſeveral Canons, Provincial Synods,* Codex Canonum.

§. 1. HAving largely conſidered the actions of Chriſt, and the practice of the Apoſtles, ſo far as they are conceived to have reference to the determining the certain form of Government in the Church; our next Stage is, according to our propounded method, to examine what light the practice of the Church in the Ages ſucceeding the Apoſtles will caſt upon the controverſie we are upon. For although according to the principles eſtabliſhed and laid down by us, there can

can be nothing ſetled as an univerſal Law for the Church but what we find in Scriptures; yet becauſe the general practice of the Church is conceived to be of ſo great uſe for underſtanding what the Apoſtles *intentions* as well as *actions* where, we ſhall chearfully paſs over this *Rubicon*, becauſe not with an intent to increaſe diviſions, but to find out ſome further evidence of a way to compoſe them. Our Inquiry then is whether the primitive Church did conceive its ſelf obliged to obſerve unalterably one individual form of Government, as delivered down to them either by a Law of Chriſt, or an univerſal conſtitution of the Apoſtles; or elſe did only ſettle and order things for Church Government according as it judged them tend moſt to the peace and ſettlement of the Church, without any antecedent obligation, as neceſſarily binding to obſerve only one courſe. This latter I ſhall endeavour to make out to have been the only rule and Law which the Primitive Church obſerved as to Church-Government. *viz.* the tendency of its conſtitutions to the peace and unity of the Church; and not any binding Law or practice of Chriſt or his Apoſtles. For the demonſtrating of which I have made choice of ſuch arguments as moſt immediately tend to the proving of it. For *if the power of the Church and its officers did increaſe meerly from the inlargement of the bounds of Churches; if no one certain form were obſerved in all Churches; but great varieties as to officers and Dioceſſes; if the courſe uſed in ſettling the power of the chief officers of the Church was from agreement with the civil government; if notwithſtanding the ſuperiority of Biſhops, the ordination of Presbyters was owned as valid; if in all other things concerning the Churches Polity, the Churches prudence was looked on as a ſufficient ground to eſtabliſh things*, then we may with reaſon conclude that nothing can be inferred from the practice of the Primitive Church, Demonſtrative of any one fixed form of Church Government delivered from the Apoſtles to them. Having thus by a light σκιαγραφία drawn out the ſeveral lines of the pourtraicture of the Polity of the ancient Church, we now proceed to fill them up, though not with that *life* which it deſerves, yet ſo far as the model of this diſcourſe will permit. Our firſt argument then is *from the*

riſe of the extent of the power of Church Governours, which I aſſert not to have been from any order of the Apoſtles, but from the gradual increaſe of the Churches committed to their charge. This will be beſt done by the obſervation of the growth of Churches, and how proportionably the power of the Governours did increaſe with it. As to that, there are four obſervable ſteps or periods as ſo many ages of growth in the Primitive Churches. *Firſt*, when Churches and Cities were of the ſame extent. *Secondly* when Churches took in the adjoyning territories with the villages belonging to the Cities. *Thirdly*, when ſeveral Cities with their villages did aſſociate for Church-Government in the ſame province. *Fourthly*, When ſeveral provinces did aſſociate for Government in the *Roman* Empire. Of theſe in their order.

§. 2. The firſt period of Church-Government obſervable in the primitive Church, was *when Churches were the ſame with Chriſtians in whole Cities.* For the clearing of this, I ſhall *firſt* ſhew that the primitive conſtitution of Churches was in a ſociety of Chriſtians in the ſame City. *Secondly*, I ſhall conſider the form and manner of Government then obſerved among them. *Thirdly*, conſider what relation the ſeveral Churches in Cities had to one another. *Firſt*, *That the Primitive Churches were Chriſtians of whole Cities.* It is but a late and novel acception of the word *Church*, whereby it is taken for ſtated fixed congregations for publick worſhip; and doubtleſs the original of it is only from the diſtinction of Churches in greater Cities into their ſeveral κυριακὰ or publick places for meeting, whence the Scotch *Kirk*, and our Engliſh *Church*; ſo that from calling the place *Church* they proceed to call the perſons there meeting by that name; and thence ſome think the name of Church ſo appropriated to ſuch a ſociety of Chriſtians as may meet at ſuch a place, that they make it a matter of religion not to call thoſe places *Churches*, from whence originally the very name, as we uſe it, was derived. But this may be pardoned among other the religious weakneſſes of well meaning but leſs knowing people. A Church in its primary ſenſe as it anſwers to the Greek ἐκκλησία, applyed to Chriſtians, is a Society of Chriſtians living together in one City; whether meeting

meeting together in many Congregations or one, is not at all material; becauſe they were not called a Church as meeting together in one place, but as they were a ſociety of Chriſtians inhabiting together in ſuch a City: not but that I think a ſociety of Chriſtians might be called a Church, where ever they were, whether in a City or Countrey, but becauſe the firſt and chief mention we meet with in Scripture of Churches, is of ſuch as did dwell together in the ſame Cities; as is evident from many pregnant places of Scripture to this purpoſe. As *Act.* 14. 23. compared with *Titus* 1. 5. κατ' ἐκκλησίαν in one place, is the ſame with κατὰ πόλιν in the other. *Ordaining Elders in every Church, and ordaining Elders in every City*; which implies that by Churches then were meant the body of Chriſtians reſiding in the Cities: over which the Apoſtles ordained Elders to rule them. So *Act.* 16. 4, 5. *As they went through the Cities*, &c. *and ſo were the Churches eſtabliſhed in the faith.* The Churches here were the Chriſtians of thoſe Cities which they went through. So *Act.* 20. 17. *He ſent to* Epheſus *and called the Elders of the Church.* If by the Elders we mean as all thoſe do we now deal with, the Elders of *Epheſus*, then it is here evident that the Elders of the Church and of the City are all one; but what is more obſervable, *verſ.* 28. he calls the Church of that City, τὸ ποίμνιον· προσέχετε οὖν ἑαυτοῖς καὶ παντὶ τῷ ποιμνίῳ ἐν ᾧ ὑμᾶς τὸ πνεῦμα ἔθετο ἐπισκόπους, ποιμαίνειν τὴν ἐκκλησίαν τοῦ θεοῦ. *Take heed to your ſelves, and to the flock over which God hath made you overſeers, to feed the Church of God.* Where ſeveral things are obſervable to our purpoſe; firſt, that the body of Chriſtians in *Epheſus* is called τὸ ποίμνιον and ἡ ἐκκλησία, the flock and the Church, and not the ſeveral flocks and Churches, over which God hath made you Biſhops. *Secondly*, that all theſe ſpoken to were ſuch as had a paſtoral charge of this one flock; *Paul* calls them ἐπισκόπους, and chargeth ποιμαίνειν, *to do the work of a Paſtor* towards it. So that either there muſt be ſeveral Paſtors taking the paſtoral charge of one congregation which is not very ſuitable with the principles of thoſe I now diſpute againſt; or elſe many congregations in one City are all called but one Church, and

one flock, which is the thing I plead for. And therefore it is an obſervation of good uſe to the purpoſe in hand, that the New Teſtament ſpeaking of the Churches in a Province, alwaies ſpeaks of them in the Plural number as *the Churches of Judæa*, 1 Gal. 22. 1 Theſ. 2. 14. *The Churches of* Samaria *and* Gallilee. Act. 9. 31. *The Churches of* Syria *and* Cilicia. Act. 15. 41. *The Churches of* Galatia, 1 Cor. 16. 1. Gal. 1. 1,2. *The Churches of* Aſia. Rom. 16. 16. Rev. 1. 11. But when it ſpeaks of any particular City, then it is alwaies uſed in the Singular number *as the Church at* Jeruſalem. Act. 8. 1. ———15. 4, 22. *The Church at* Antioch. Act. 11. 26.———13. 1. *The Church at* Corinth. 1 Cor. 1. 2. 2 Cor. 1. 1. and ſo of all *the ſeven Churches of* Aſia, *the Church of* Epheſus, Smyrna, &c. So that we cannot find in Scripture the leaſt footſtep of any difference between a Church and the Chriſtians of ſuch a City; whereas had the notion of a Church been reſtrained to a particular congregation, doubtleſs we ſhould have found ſome difference as to the Scriptures ſpeaking of the ſeveral places. For it is ſcarce imaginable that in all thoſe Cities ſpoken of, as for example *Epheſus*, where *Paul* was for above two years together, that there ſhould be no more converts then would make one Congregation. Accordingly in the times immediately after the Apoſtles, the ſame language and cuſtome continued ſtill. So *Clement* inſcribes his Epiſtle ἡ ἐκκλησία τοῦ θεοῦ παροικοῦσα Ῥώμην τῇ ἐκκλησίᾳ τοῦ θεοῦ παροικούσῃ Κόρινθον, *The Church of God which is at* Rome, *to the Church of God which is at* Corinth. So by that it is plain that all the believers at that time in *Rome*, made up but one Church, as likewiſe did they at *Corinth*. So *Polycarp* in the Epiſtle written by him from the Church at *Smyrna* to the Church at *Philomilium*, Ἡ ἐκκλησία τοῦ θεοῦ ἡ παροικοῦσα Σμύρναν τῇ παροικούσῃ ἐν Φιλομήλιῳ and ſo in his Epiſtle to the *Philippians*, Πολύκαρπος καὶ οἱ σὺν αὐτῷ πρεσβύτεροι, τῇ ἐκκλησίᾳ παροικούσῃ Φιλίππους. *Polycarp and the Elders with him to the Church which is at Philippi*. *Origen* compares the Church of God at *Athens*, *Corinth*, *Alexandria*, and other places with the people of thoſe ſeveral Cities; and ſo the Churches *Senate* with the peoples, and the Churches ἄρχων &c. (that is his word) *chief ruler*, with the *Major* of thoſe Cities

Euſeb. l. 4. cap. 13.

Apud Iſſer. Ignat. ep. p. 13.

C. Celſum. l. 3. p. 128.

Cities; implying thereby that as there was one civil ſociety in ſuch places to make a City, ſo there was a ſociety of Chriſtians incorporated together to make a Church. So that a Church ſetled with a full power belonging to it, and exerciſing all acts of Church-diſcipline within its ſelf, was anciently the ſame with the ſociety of Chriſtians in a City. Not but that the name Church is attributed ſometimes to families, in which ſenſe *Tertullian* ſpeaks, *ubi duo aut tres ſunt, ibi Eccleſia eſt, licet Laici:* And may on the ſame account be attributed to a ſmall place, ſuch as many imagine the Church of *Cenchrea* to be, it being a Port to *Corinth* on the *Sinus Saronicus*; but *Stephanus Byzantinus* calls it πόλις ἐμπόριον Κορίνθου. *Suidas* ſaith no more of it then that it is ὄνομα τόπου. *Strabo* and *Pauſanias* only ſpeak of the ſituation of it, as one of the ports of *Corinth*, lying in the way from *Tegea* to *Argos*; nor is any more ſaid of it by *Pliny*, then that it anſwers to *Lechæum* the port on the other ſide upon the *Sinus Corinthiacus*. *Ubbo Emmius* in his deſcription of old *Greece* calls both of them *oppidula duo cum duobus præclaris portubus in ora utriuſq; maris*, but withal adds that they were *duo urbis emporia*, the two *Marts* of *Corinth*; therefore in probability, becauſe of the great Merchandiſe of that City, they were much frequented. *Cenchrea* was about twelve furlongs diſtance from *Corinth*; Where *Pareus* conjectures the place of the meeting of the Church of *Corinth* was, becauſe of the troubles they met with in the City, and therefore they retired thither for greater conveniency and privacy: which conjecture will appear not to be altogether improbable, when we conſider the furious oppoſition made by the *Jews* againſt the *Chriſtians* at *Corinth*, *Act.* 18. 12. and withal how uſual it was both for Jews and Chriſtians to have their place of meeting at a diſtance from the City. As *Act.* 16. 13. *They went out from* Philippi *to the rivers ſide, where there was a Proſeucha, or a place of prayer, where the Jews of* Philippi *accuſtomed to meet.* According to this interpretation the Church at *Cenchrea* is nothing elſe but the Church of *Corinth* there aſſembling: as the *Reformed Church* at *Paris* hath their meeting place at *Charenton*, which might be called the Church of *Charenton* from their publick Aſſemblies there, but the Church of *Paris*

Exhort. ad cuſtit.

Steph. de Urbibus.

Strabo Geogr. l. 8. Pauſ. Corinth. p. 44, 45.

Plin. Hiſt. l. 4. c. 4.

Emmius de Grec. Vet. l. 2.

Pareus in Rom. 16. 1.

V. Heinſ Exercit. ſacr. l. 5. cap. 10.

Paris from the Reſidence of the chief officers and people in that City. So the Church of *Corinth* might be called the Church at *Cenchrea* upon the ſame account, there being no evidence at all of any ſetled Government there at *Cenchrea* diſtinct from that at *Corinth*. So that this place which is the only one brought againſt that poſition I have laid down, hath no force at all againſt it. I conclude then that Churches and Cities were originally of equal extent, and that the formal conſtitution of a Church lies not in their capacity of aſſembling in one place, but acting as a ſociety of Chriſtians imbodyed together in one City, having Officers and Rulers among themſelves, equally reſpecting the whole number of believers: Which leads to the *ſecond* thing, *the way and manner then uſed for the modelling the government of theſe Churches:* Which may be conſidered in a double period of time, either before ſeveral Congregations in Churches were ſetled, or after thoſe we now call *Pariſhes*, were divided. Firſt, before diſtinct congregations were ſettled; and this as far as I can find, was not only during the Apoſtles times, but for a competent time after, generally during the perſecution of Churches. For we muſt diſtinguiſh between ſuch a number of believers as could not conveniently aſſemble in one place, and the diſtributing of believers into their ſeveral diſtinct Congregations. I cannot ſee any reaſon but to think that in the great Churches of *Jeruſalem*, *Antioch*, *Epheſus* and the like, there were more believers then could well meet together, conſidering the ſtate of thoſe times; but that they were then diſtributed into their ſeveral Νικαι or *Centuries* (as the *Athenians*, and *Romans* divided their people) *i.e.* into ſeveral worſhipping Congregations with peculiar officers, I ſee no reaſon at all for it. They had no ſuch conveniencies then of ſetling ſeveral congregations under their particular Paſtors: but all the Chriſtians in a City looked upon themſelves as one body, and met together as occaſion ſerved them, where either the chief of the Governours of the Church, the προεστως in *Juſtin Martyrs* language, did perform the ſolemn part of divine worſhip, or ſome other of the *Elders* that were preſent with them. Is it not ſtrange for men to dream of ſet times, and Canonical hours, and publick places of Aſſemblies at that time, when their

their chief times of meeting were in the night, or very early in the morning, which *Pliny* calls *conventus ante lucanos*, whence they were called *latebrosa & lucifugax natio*; and were fain to make use of wax-lights: (which from that custom the Papists continue still in their *Tapers* always burning upon the *Altar*, from what reason I know not, unless to shew the darkness of error and superstition which that Church lies under still) and the places of the Christians meetings were generally either some private rooms, or some *grotts* or *Cryptæ*, vaults under ground where they might be least discerned or taken notice of; or in the *Cæmeteria*, the *Martyrum memoriæ*, as they called them, where their common assemblies were. Thence *Pontius Paulinus*, speaking of the Edict of *Valerian* against the Christians, *Jussum est ut nulla conciliabula faciant, neque cœmeteria ingrediantur.* Indeed when they had any publick liberty granted them, they were so mindful of their duties of publick profession of the faith, as to make use of publick places for the worship of God, as appears by *Lampridius* in the life of *Alexander Severus*. *Quum Christiani quendam locum qui publicus fuerat occupassent, contra popinarii dicerent, sibi eum deberi, rescripsit melius esse ut quomodocunque illic Deus colatur, quam popinariis dedatur.* But in times of persecution it is most improbable that there should be any fixed Congregations and places, when the Christians were so much hunted after, and inquired for, as appears by the former Epistle of *Pliny* and the known *Rescript of Trajan* upon it, so much exagitated by *Tertullian*. They did meet often it is certain, *ad confœderandum disciplinam*, at which meetings *Tertullian* tells us, *Præsident probati quique seniores*, which he elsewhere explains by *Consessus ordinis*, *the bench of officers* in the Church, which did in common consult for the good of the Church, without any *Cantonizing* the Christians into several distinct and fixed Congregations. But after that believers were much increased, and any peace or liberty obtained, they then began to contrive the distribution of the work among the several Officers of the Church, and to settle the several bounds over which every Presbyter was to take his charge; but yet so, as that every Presbyter retained a double aspect of his office, the one particular to his charge, the other general respecting the Church

Ep. 95. l. 10. *Tertul. de Cor. Militis.* *ad uxor. l. 2. c. 4.* *V. Vossium in Plin. ep. p. 45.* *V. Gersom. Bucer. de gubern. eccl. p. 220, &c.* *V. Justell. Not. in Cod. Can. Eccles. un. p. 200. & Blondell Ap. s. 3. de Basil. origine p. 216. p. 243. p. 131. ed. cl. Salmas.* *Apol. c. 2.*

in common. For it is but a weak conceit to imagine that after the setling of Congregations, every one had a distinct Presbyterie to rule it, which we find not any obscure footsteps of in any of the ancient Churches; but there was still one *Ecclesiastical Senate* which ruled all the several Congregations of those Cities in common, of which the several Presbyters of the Congregations were members, and in which the *Bishop* acted as the *President* of the *Senate*, for the better governing the affairs of the Church. And thus we find *Cornelius* at *Rome* sitting there *cum florentissimo Clero:* thus *Cyprian* at *Carthage*, one who pleads as much as any for obedience to Bishops, and yet none more evident for the presence and joint concurrence and assistance of the Clergy at all Church debates; whose resolution from his first entrance into his Bishoprick was to do all things *communi concilio Clericorum*, with the Common-Council of the Clergy; and says they were *cum Episcopo sacerdotali honore conjuncti.* *Victor* at *Rome* decreed *Easter* to be kept on the Lords day, *collatione facta cum Presbyteris & Diaconibus* (according to the Latin in that age) as *Damasus* the supposed Author of the lives of the Popes tells us. In the proceedings against *Novatus* at *Rome*, we have a clear testimony of the concurrence of Presbyters: where a great Synod was called, as *Eusebius* expresseth it, of *sixty Bishops*, but more *Presbyters* and *Deacons:* and what is more full to our purpose, not only the several Presbyters of the City, but the Country Pastours (τῶν κατὰ χώραν ποιμένων διασκευασάντων) did likewise give their advice about that business. At this time *Cornelius* tells us there were forty six Presbyters in that one City of *Rome*, who concurred with him in condemning *Novatus*. So at *Antioch* in the case of *Paulus Samosatenus* we find a Synod gathered, consisting of *Bishops*, *Presbyters and Deacons*, and in their name the *Synodal* Epistle is penned and directed by the same in all the Catholick Church. At the Council of *Eliberis* in *Spain*, were present but nineteen Bishops and twenty six Presbyters. The case between *Sylvanus* Bishop of *Cirta* in *Africk*, and *Nundinarius* the Deacon, was referred by *Purpurius* to the Clergy to decide it. For the presence of Presbyters at Synods, instances are brought ὅλῳ τῷ συνεδρίῳ by *Blondell* in his *Apology*. And that they concurred

Epigr. ep. f. 21.

Ep. 6. 10. 18, 24. 33, 34, 28. 32.

Ep. 58.

Apud Bin. To. 1 *Conc. p* 92.

Eccles. hist. l. 6. *cap.* 43.

Eccles. hist. l. 7. *cap.* 30.

Apud. Nun. sub Zenoph. Consul.

P. 200.

red in governing the Church, and not only by their *counsel* but *authority*, appears from the general sense of the Church of God, even when Episcopacy was at the highest: *Nazianzen* speaking of the office of Presbyters, οὔτε λειτουργίαν χρὴ λέγειν οὔτε ἡγεμονίαν, he knew not whether to call it, *Ministry* or *Superintendency*, and those who are made Presbyters, ὅτι τὸ ἄρχειν ἀναβάινουσι ἀπὸ τοῦ ἄρχεσθαι, *from being ruled, they ascend to be rulers themselves.* And their power by him is in several places called Ψυχῶν ἡγεμονία, προεστασία, προεδρεία: they are called by him, ποιμένες, ἱερεῖς, προεστῶτες, προστάται, ἄρχοντες. *Chrysostome* gives this as the reason of *Pauls* passing over from *Bishops* to *Deacons* without naming Presbyters, ὅτι ὐ πολὺ τὸ μέσον· καὶ γὰρ καὶ αὐτοὶ διδασκαλίαν εἶχον ἀναδεδεγμένοι, καὶ προεστασίαν τῆς ἐκκλησίας. *Because there is no great matter of difference between a Bishop and Presbyters, for these likewise have the instruction and charge of the Church committed to them*; which words *Theophylact*, *Chrysostomes Eccho*, repeats after him, which the Council of *Aquen* thus expresseth, *Presbyterorum vero qui præsunt Ecclesiæ Christi ministerium esse videtur, ut in doctrina præsint populis & in officio prædicandi, nec in aliquo desides inventi appareant.* *Clemens Alexandrinus* before all these, speaking of himself and his fellow Presbyters, Ποιμένες ἐσμεν οἱ τῶν ἐκκλησιῶν προηγάμενοι. *We are Pastors, and Rulers of the Churches.* And that proper acts of discipline were performed by them, appears both by the Epistles of the *Roman Clergy* about their preserving discipline to *Cyprian*, and likewise by the act of that Clergy in excluding *Marcion* from communion with them. So the Presbyters of the Church of *Ephesus* excommunicated *Noetus*; for after they had cited him before them, and found him obstinate in his heresie, ἐξώσαν αὐτὸν τῆς ἐκκλησίας ἅμα τοῖς σὺν αὐτῷ δόγμα μιμησαμένοις, they put both him and his Disciples out of the Church together. Thus we see what the manner of Government in the Church was now: The Bishop sitting as the נשיא in the *Sanhedrin*, and the Presbyters ὡς συνεδρευταὶ τῶν ἐπισκόπων, as *Ignatius* expresseth it, acting as the *Common-council* of the Church to the Bishop; the Bishop being as the ἄρχων τῆς ἐκκλησίας, answering to the ἄρχων τῆς πόλεως and the Presbytery as the

Orat. p. 3.

P. 34 37, 41.

P. 29. 42.

In 1 Tim. *hom.* 11.

Conc. Aquisg. cap. 5.

Pædag. l. 1. cap. 6.

Epiph. hær. 42.

Id hæres. 57. c. 1.

βυλὴ τῆς ἐκκλησίας, answering to the βυλὴ κατ' ἀγέλω πόλιν, as *Origen* compares them. Whereby he fully describes the form of Government in his time in the Church, which was by an *Ecclesiastical Senate*, and a *President* in it, ruling the Society of Christians in every city. So that the Presbytery of a great City joyning together for government, were never accounted a *Provincial Assembly*, but only the *Senate* for government of the Church in the whole City. The erecting Presbyteries for every particular congregation in a City, is a stranger to the ancient constitution of Churches, and hath given the greatest rise to the independency of particular congregations. For if every particular congregation be furnished with a government within its self, then men are apt presently to think that there is no necessity of subordination of it to any higher Church-power. Whereas if that primitive constitution of Churches be held, that they are societies of Christians under an *Ecclesiastical Senate* in a City, then it is evident that the congregations must *truckle* under the great body, as receiving their government by, and their officers from that Senate of the Church, which superintends, and orders the affairs of that whole body of Christians residing in such a place. And this crumbling of Church power into every congregation is a thing absolutely disowned by the greatest, and most learned *Patrons* of *Presbyterie* beyond the Seas: as may be seen both in *Calvin*, *Beza*, *Salmasius*, *Blondel*, *Gersome*, *Bucer* and others. It is much disputed when the first division of Parochial congregations in Cities began; *Platina* attributes it to *Evaristus*, and so doth *Damasus*, *Hic titulos in urbe Roma divisit Presbyteris. He divided the several Parish Churches to the Presbyters*; these were called then *tituli*; *Baronius* gives a double reason of the name; either from goods belonging to the Princes *Exchequer*, which have some sign imprinted upon them that it may be known whose they are; so saith he, the sign of the Cross was put upon the Churches to make it known that they were devoted to Gods service; or else they are called *Tituli*, because the several Presbyters did receive their titles from them; but by the Leave of the great *Cardinal*, another reason may be given of the name more proper then

C Celsum. l. 3. p. 129.

A. Dom. 112. n 4, 5, 6.

then either of theſe. It hath been obſerved by learned men, that the general meetings of the Chriſtians were in the *Cæmeteriæ* or dormitories of Chriſtians; ſo they called the Sepulchres then, which were great and capacious *vaults* fit to receive many people in them; two chief grounds of the Chriſtians meeting in thoſe places; the firſt was their own ſecurity, becauſe the heathens looked on it as a matter of religion ——— *manes temerare ſepultos*, to diſturb the aſhes of the dead; but the chief reaſon was to encourage themſelves to ſuffer martyrdom by the examples of thoſe who had gone before them, and lay buried there; thence they were called *Martyrum memoriæ*, becauſe they did call to mind their actions and conſtancy in the faith. Now from theſe *Cæmeteria* was afterwards the original of Churches (whence perſons moſt reverenced for piety, were wont ſtill to be buried in Churches, not for any holineſs of the place, but becauſe in ſuch places the Martyrs lay buried) the Churches being raiſed over the vaults wherein the Martyrs lay intombed. Now Churches being raiſed from theſe *Cæmeteries*, which were called *memoriæ martyrum*, that they might ſtill retain ſomewhat itimating their former uſe, were called *Tituli*. For *Titulus* as *Santius* obſerves, is *ſignum aliquod aut monumentum, quod docet ibi latere aliquid aut accidiſſe, cujus nolumus perire memoriam*; thence ſtatutes are called *tituli*. So Gen. 35. 20. *erexit Jacob titulum ſuper ſepulchrum*, as the Vulg. Lat. renders it: and Gen. 28. 18. *Surgens ergo Jacob mane tulit lapidem quem ſuppoſuerat capiti ſuo, & erexit in Titulum.* So *Abſalom* 2 Sam. 18. 18. *erexit ſibi titulum.* So that what was erected to maintain and preſerve the memory of any thing, was called *Titulus*; and thence the Churches being built upon the *Cæmeteries* of the Martyrs, were on that account called *Tituli*, becauſe intended for the preſervation of their memories. This account of the original of the name I leave to the judgement of learned men; but to proceed; I confeſs it ſeems not probable to me that theſe *tituli* were ſo ſoon divided as the time of *Evariſtus*, who lived in the time of *Trajan* when the perſecution was hot againſt the Chriſtians; but *Damaſus* ſeems not to believe himſelf; for in the life of *Dionyſius*, he ſaith, *Hic Presbyteris eccleſias di-* in Ezek. 39. 15.

viſit, cœmeteria, parœcias, & diœceſes inſtituit; but moſt probably it began aſſoon as the Churches enjoyed any eaſe and peace, it being ſo neceſſary for the convenient meeting of ſuch a multitude of Chriſtians as there was then. In the life of *Marcellus* about fourty years after *Dionyſius*, we read of twenty five *Titles* in the Church of *Rome*; of which number what uſe is made for interpreting the number *666.* may be ſeen in Mr. *Potters* ingenuous tract on that ſubject. But when afterwards theſe *titles* were much increaſed, thoſe Presbyters that were placed in the ancient *titles* which were the chief among them, were called *Cardinales Presbyteri*, which were then looked on as chief of the Clergy, and therefore were the chief members of the Council of Presbyters to the Biſhop. So that at this day, the *Conclave* at *Rome* and the Popes *Conſiſtory* is an evident argument in this great degeneracy of it, of the primitive conſtitution of the Government of the Church there, by a Biſhop acting with his Colledge of Presbyters. Neither was this proper to *Rome* alone, but to all other great Cities, which when the number of Presbyters was grown ſo great, that they could not conveniently meet, and joyn with the Biſhop, for ordering the Government of the Church, there were ſome as the chief of them choſen out from the reſt, to be as the Biſhops Council, and theſe in many places as at *Milan*, *Ravenna*, *Naples*, *&c.* were called *Cardinales presbyteri*, as well as at *Rome*; which were abrogated by *Pius Quintus* 1568: but the memory of them is preſerved ſtill in Cathedral Churches, in the *Chapter* there, where the *Dean* was nothing elſe but the *Archipresbyter*, and both Dean and Prebendaries were to be aſſiſtant to the Biſhop in the regulating the Church affairs belonging to the City, while the Churches were contained therein. So much ſhall ſuffice for the model of Government in the Churches while they were contained within the ſame precincts with the City it ſelf.

V. Onuphrium de epiſcop. titul. & Div. Cardinalium.

§. 3. We come in the third place to conſider what relation theſe Churches in great Cities had one to another, and to the leſſer Cities which were under them. And here the grand queſtion to be diſcuſſed is this, Whether the Churches in greater Cities by Apoſtolical inſtitution, had the Government Eccleſiaſtical,

cleſiaſtical, not only of the leſſer villages under them, but likewiſe of all leſſer Cities under the civil juriſdiction of the *Metropolis*. The affirmative is of late aſſerted by ſome perſons of great renown and learning. The firſt I find maintaining this *hypotheſis* of the divine right of *Metropolitans*, is *Fregevilæus Gantius* one of the Reformed Church of *France*, who hath ſpent a whole Chapter in his *Palma Chriſtiana* to that purpoſe, and hath made uſe of the ſame arguments which have been ſince improved by all the advantages which the learning of a *Reverend Doctor* could add to them. But becauſe this principle manifeſtly deſtroys the main foundation of this diſcourſe, it is here requiſite to examine the grounds on which it ſtands, that thereby it may be fully cleared whether the ſubordination of leſs Churches to greater, did only ariſe from the mutual aſſociation of Churches among themſelves, or from Apoſtolical appointment and inſtitution. The two pillars which the divine right of *Metropolitans* is built upon, are theſe. Firſt that the Cities ſpoken of in the New Teſtament, in which Churches were planted, were *Metropoles* in the civil ſenſe. *Secondly*, that the Apoſtles did ſo far follow the model of the civil Government as to plant *Metropolitan* Churches in thoſe Cities. If either of theſe prove infirm, the fabrick erected upon them, muſt needs fall; and I doubt not but to make it appear that both of them are. I begin with the firſt. The notion of a *Metropolis* is confeſſed to be this, a City wherein the Courts of a Civil judicature were kept by the Roman Governors, under whoſe juriſdiction the whole Province was contained. The Cities chiefly inſiſted on, are the ſeven Cities of the *Lydian Aſia*, and *Philippi* which is called πρώτη πόλις Μακεδονίας. As for the Cities of the *Proconſular Aſia*, although the bounds and limits of it are not ſo clear as certainly to know whether all theſe Cities were comprehended under it, or no, *Strabo* telling us that *Phrygia*, *Lydia*, *Caria* and *Myſia* are δυσδιάκριτα εἰς ἄλληλα very hard to be diſtinguiſhed from one another; it being true of all four which was ſaid of *Myſia* and *Phrygia*,

Palma Chriſtiana cap. 4.

Geogr. l. 13.

Χωρὶς τὰ Μυσῶν καὶ Φρυγῶν ὁρίσματα
Τὸ δ' ἀποριζειν χαλεπόν.

The

The *Phrygian* and *Myſian* borders are diſtinct; but is hard to find them out. For *Laodicea* is by *Ptolomy* referrd to *Caria*, *Strabo* and many others place it in *Phrygia*, only *Stephanus Byzantinus* placeth it in *Lydia*; but granting all that is produced by the late moſt excellent Primate of *Armagh* in his learned diſcourſe of the *Proconſular Aſia*, to prove all theſe ſeven Cities to be in the bounds of this *Lydian Aſia*, yet it is far from being evident that all theſe Cities were *Metropoles* in the civil ſenſe. For *Strabo* tells us, *that the Romans did not divide theſe places by Nations, but according to the Dioceſſes wherein they kept their Courts and exerciſed judicature.* Theſe Cities wherein the Courts of judicature were kept, were the *Metropoles*, and mother Cities. Of five of them, *Laodicea*, *Smyrna*, *Sardis*, *Epheſus* and *Pergamus*, *Pliny* ſaith that the *conventus*, the civil Courts were kept in them: and they had juriſdiction over the other places by him mentioned; but for the other two, *Thyatira* and *Philadelphia*, *Philadelphia* is expreſly mentioned as one of thoſe Cities which was under the *juriſdictio Sardiana*; ſo far was it from being a *Metropolis* of its ſelf; and *Thyatira* mentioned as one of the ordinary Cities, without any addition of honour at all to it. And for *Philadelphia*, it was ſo far unlikely to be a *Metropolis*, that *Strabo* tells us it was σεσμῶν πάνυ, very ſubject to earth-quakes, and therefore had very few inhabitants; thoſe that are, live moſt part in the fields, where they have εὐδαίμονα χῶραν a very rich ſoil: but *Strabo* for all that, wonders at the boldneſs of the men that durſt to venture their lives there; and moſt of all admires what was in thoſe mens heads who firſt built a City there. Is it then any ways probable that this ſhould be choſen for a *Metropolis*, in ſuch an abundance of fair and rich Cities as lay thereabout? But a *Salvo* is found out for *Pliny*, not mentioning them as *Metropoles*, becauſe the addition of theſe two in other Cities, ſeemeth to have been made when *Veſpaſian* added thoſe many new *Provinces* to the old Government which *Suetonius* ſpeaks of; but this *Salvo* doth not reach the ſore; for firſt *Pliny* wrote his natural hiſtory, not in the beginning, but toward the latter end of the Empire of *Flavius Veſpaſianus*, when *Titus* had been ſix times *Conſul*

Geog. l. 13. p. 632. ed. If. Cauſab.

Nat. hiſt. l. 5. c 29. & 30.

Sueton. in Veſpan. c. 8.

as

as he himself saith in his Preface; therefore if there had been any such change, *Pliny* would have mentioned it. *Secondly*, the *Provinces* added by *Vespasian* are expressly set down by *Suetonius*, *viz.* *Achaia*, *Lycia*, *Rhodus*, *Byzantium*, *Samos*, *Thracia*, *Cilicia*, *Comagena*; not the least mention of the *Lydian* or *Proconsular Asia*, or any alteration made in the *Metropolis* there. But yet there is a further attempt made to make *Philadelphia* a *Metropolis*, which is from a subscription of *Eustathius* in the Council of *Constantinople sub Menna*, *act.* 5. who calls himself the Bishop of the *Metropolis* of *Philadelphia*; but what validity there is in such a subscription in the time of the fifth Century to prove a *Metropolis* in the first, let any one judge that doth but consider how common a thing it was to alter *Metropoles*, especially after the new disposition of the Roman Empire by *Constantine*: But if we do stand to the *Notitia* to determine this controversie, which are certainly more to be valued then a single subscription, the *Metropolitanship* of these Cities of the *Lydian Asia* will be irrecoverably overthrown. For in the old *Notitia* taken out of the *Vatican MS.* and set forth with the rest by *Carolus à Sancto Paulo* in his *Appendix* to his *Geographia sacra*, *Ephesus* is made the *Metropolis* of the Province of *Asia*, *Sardis* of *Lydia*, *Laodicea* of *Phrygia Capatiana*, as it is there written for *Pacatiana*; but *Pergamus* placed in the Province of *Cæsarea Capadocia*, *Philadelphia* under *Sardis*, with *Thyatyra*. In the *Notitia* attributed to *Hierocles* under the *Metropolis* of *Ephesus* is placed *Smyrna* and *Pergamus*, under *Sardis* *Thyatyra* and *Philadelphia*: so likewise in the *Notitia* of the French Kings Library. So that neither in the Civil nor Ecclesiastical sense can we find these seven Cities to be all *Metropoles*. We therefore observe St. *Pauls* course, and leaving *Asia*, we come into *Macedonia*, where we are told that *Philippi* was the *Metropolis* of *Macedonia*: I know not whether with greater incongruity to the Civil or Ecceſiastical sense: in both which I doubt not but to make it appear that *Philippi* was not the *Metropolis* of *Macedonia*, and therefore the Bishops there mentioned could not be the Bishops of the several Cities under the jurisdiction of *Philippi*, but must be understood of the Bishops resident in that City. We begin with Phil. 1. 1.

it in the civil ſenſe, which is the foundation of the other. It is confeſſed not to have been a *Metropolis* during its being called Κρηνίδες and Δάτος, it being by *Pauſanias* called πρώτη πόλις ἐν Μακεδονίᾳ πόλεων. By *Theophylact* out of an old Geographer (as it is ſuppoſed) it is ſaid to be μικρὰ πόλις καὶ μητρόπολις Θεσσαλονίκης τελοῦσα; and is it not very improbable that ſo ſmall a City as it is acknowledged to be by *Dio* and others, ſhould be the *Metropolis* of *Macedonia*, where were at leaſt one hundred and fifty Cities, as *Pliny* and *Pomponius Mela* tell us, by both whom *Philippi* is placed in *Thracia*, and not in *Macedonia*? But two arguments are brought to prove *Philippi* to have been a *Metropolis*; the firſt is from St *Luke*, calling it πρώτη τῆς μερίδος Μακεδονίας πόλις. Act. 16. 12. *The firſt City of that part of* Macedonia: but rendred by the learned Doctor *the prime City of the Province of* Macedonia; but it would be worth knowing where μερὶς in all the *Notitiæ* of the Roman Empire was tranſlated a *Province*: and it is evident that *Luke* calls it the firſt City, not *ratione dignitatis*, but *ratione ſitûs*, in regard of its ſituation, and not its dignity. So *Camerarius* underſtands *Luke*, *hanc eſſe primam coloniam partis ſeu Plagæ Macedonicæ; nimirum à Thraciæ vicinia iter in Macedoniam ordiens.* It is the firſt City of that part of *Macedonia* when one goes from *Thracia* into it. And ſo it appears by *Dio* deſcribing the ſituation of *Philippi*, that it was the next Town to *Neapolis*, only the mountain *Symbolon* coming between them, and *Neapolis* being upon the ſhore, and *Philippi* built up in the plain near the mountain *Pangæus*, where *Brutus* and *Caſſius* incamped themſelves: its being then the firſt City of entrance into *Macedonia*, proves no more that it was the *Metropolis* of *Macedonia*, then that *Calice* is of *France*, or *Dover* of *England*. But it is further pleaded, that *Philippi* was a *Colonie*, and therefore it is moſt probable that the ſeat of the Roman judicature was there. But to this I anſwer, firſt, that *Philippi* was not the only *Colonie* in *Macedonia*; for *Pliny* reckons up *Caſſandria*, *Pella*, and others: for which we muſt underſtand that *Macedonia* was long ſince made a *Province* by *Paulus*: and in the diviſion of the Roman *Provinces* by *Auguſtus*, *Strabo* reckons it with *Illyricum* among the

Eliac. B. p. 182.

Dio l. 47.

L. 4. c. 11.

L. 2. c. 2.

Lib. 47. p. 397.

Rateric. l. 2. c. 37.

the Provinces belonging to the Roman people and Senate, and so likewise doth *Dio*. But it appears by *Suetonius* that *Tiberius* (according to the custome of the Roman Emperours in the danger of war in the Provinces,) took it into his own hands, but it was returned by *Claudius* to the *Senate* again, together with *Achaia*: thence *Dio* speaking of *Macedonia* in the time of *Tiberius*, saith it was governed ἀκληρωτὶ, that is, by those who were ἄρχοντες αἱρετοὶ, the *praefecti Caesaris*, such as were sent by the Emperour to be his *Presidents* in the Provinces: the ἄρχοντες κληρωτοὶ were the *Proconsuls* who were chosen by lot after their *Consulship* into the several Provinces: and therefore *Dio* expresseth *Claudius* his returning *Macedonia* into the *Senates* hands by ἀπέδωκεν τότε τῷ κλήρῳ, *he put it to the choice of the Senate again.* Now *Macedonia* having been thus long a Province of the Roman Empire, what probability is there, because *Philippi* was a *Colonie*, therefore it must be the *Metropolis* of *Macedonia*? *Secondly*, we find not the least evidence either in Scripture or elsewhere that the *Proconsul* of *Macedonia* had his residence at *Philippi*, yea we have some evidence against it out of Scripture, *Acts* 16. 20, 22. καὶ προσαγαγόντες αὐτοὺς τοῖς στρατηγοῖς *and brought them to the Magistrates*; if there had been the tribunal of a *Proconsul* here, we should certainly have had it mentioned, as *Gallio Proconsul* of *Achaia* is mentioned in a like case at *Corinth*, *Acts* 18. 12. Two sorts of Magistrates, are here expressed: the ἄρχοντες which seem to be the rulers of the City, the στρατηγοὶ to be the *Duumviri* of the Colonie, or else the Deputies of the *Proconsul* residing there: but I incline rather to the former, στρατηγὸς κολωνίας being only a *Duumvir*, but στρατηγὸς Ῥώμης is a *Praetor*, as *Heinsius* observes from the *Glossary* of *H. Stephen*. For every Colonie had a *Duumvirate* to rule it, answering to the *Consuls* and *Praetors* at *Rome*. But all this might have been spared, when we consider how evident it is that *Thessalonica* was the *Metropolis* of *Macedonia*, as appears by *Antipater* in the Greek Epigram.

Geog. l. 17. hist. l. 53. V. Claudii cap. 25.

Hist. l. 57.

V. Pancir. de Magist. Municipal. cap. 8.

Exerc. sacr. l. 5. c. 10.

Σοί με Θρηικίης σκυληφόρε Θεσσαλονίκη
Μήτηρ ἡ πάσης πέμψε Μακηδονίης.

Antholog. l. 1.

And the *Præfectus prætorio Illyrici* had his Reſidence at *Theſſalonica*, as *Theodoret* tells us, Θεσσαλονίκη πόλις ὅτι μεγίστη καὶ πολυάνθρωπος, &c. ὅσα περὶ Ἰλλυρικῶν ὁ ὕπαρχον ἡγούμενον ἔχει. *Theſſalonica* was a great populous City, where the *Leiutenant* of *Illyricum* did relide: and ſo in probability did the *Vicarius Macedoniæ*. It is called the *Metropolis* of *Macedonia* likewiſe by *Socrates*, and in the Eccleſiaſtical ſenſe it is ſo called by *Ætius* the Biſhop thereof in the Council of *Sardica*; and *Carolus à Sancto Paulo* thinks it was not only the *Metropolis* of the *Province* of *Macedonia*, but of the whole *Dioceſs* (which in the Eaſt was much larger then the Province) I ſuppoſe he means that which anſwered to the *Vicarius Macedoniæ*. And thence in the Councils of *Epheſus* and *Chalcedon* the ſubſcription of the Biſhop of *Theſſalonica* was next to the Patriarchs. But for *Philippi* the ſame Author acknowledgeth it not to have been a *Metropolitan* Church in the firſt ſix Centuries; but after that *Macedonia* was divided into *prima* and *ſecunda* (which was after the diviſion of it in the Empire into *prima* and *ſalutaris*) then *Philippi* came to have the honorary title of a *Metropolitan*: although in *Hierocles* his *Notitia*, *Philippi* is placed as the twenty firſt City under the *Metropoles* of *Theſſalonica*. So much to evidence the weakneſs of the firſt pillar, *viz.* that theſe Cities were *Metropoles* in the Civil ſenſe: and this being taken away, the other falls of its ſelf; for if the Apoſtles did modell the Eccleſiaſtical Government according to the Civil, then Metropolitan Churches were planted only in Metropolitan Cities, and theſe being cleared not to have been the latter, it is evident they were not the former. But however let us ſee what evidence is brought of ſuch a ſubordination of all other Churches to the Metropolitans, by the inſtitution of the Apoſtles. The only evidence produced out of Scripture for ſuch a ſubordination and dependence of the Churches of leſſer Cities upon the greater is from *Act.* 16. 1, 4. compared with *Act.* 15. 23. the argument runs thus, The queſtion was ſtarted at *Antioch*, *Act.* 14. 26. with *Act.* 15. 2. from thence they ſent to *Jeruſalem* for a reſolution: the decree of the Council there concerns not only *Antioch*, but *Syria* and *Cilicia*, which were under the Juriſdiction of *Antioch*: and therefore Metropoli-

tan

Hiſt. Eccleſ. l. 5. c. 17. *V. Berter. Pithan. Dial. c. 2. l. 2. c. 12.*

Conc. Sard. cap 16.

Geogr. ſacr. l. 8. ſ. 14.

tan Churches are *jure divino*. I am afraid the argument would ſcarce know its ſelf in the dreſs of a *Syllogiſm*. Thus it runs; If upon the occaſion of the queſtion at *Antioch*, the decree of the Apoſtles made at *Jeruſalem*, concern all the Churches of *Syria* and *Cilicia*, then all theſe Churches had a dependence upon the *Metropolis* of *Antioch*; but the *antecedent* is true, therefore the conſequent. Let us ſee how the argument will do in another form. If upon the occaſion of the queſtion of *Antioch*, the decree of the Apoſtles concerned all the Churches of Chriſtians converſing with Jews; then all theſe Churches had dependence upon the Church of *Antioch*; but, &c. How thankful would the *Papiſts* have been, if only *Rome* had been put in inſtead of *Antioch*! and then the concluſion had been true, what ever the premiſes were. But in good earneſt, doth the Churches of *Syria* and *Cicilia* being bound by this decree, prove their ſubordination to *Antioch*, or to the Apoſtles? were they bound becauſe *Antioch* was their *Metropolis*, or becauſe they were the Apoſtles who reſolved the queſtion? but were not the Churches of *Phrygia*, and *Galatia* bound to obſerve theſe decrees as well as others? For of theſe it is ſaid that the Apoſtles went through the Cities of them, delivering the decrees to keep, as it is expreſſed *Act.* 16. 4. compared with the 6 verſe. Or do the decrees of the Apoſtles concern only thoſe to whom they are inſcribed, and upon whoſe occaſion they are penned? Then by the ſame reaſon *Pauls* Epiſtles being written many of them upon occaſions, as that to the *Corinthians* being directed to the *Metropolis* of *Corinth*, doth only concern the Church of that City, and thoſe of *Achaia* that were ſubject to the juriſdiction of the City; and ſo for the reſt of the Epiſtles. A fair way to make the word of God of no effect to us; becauſe forſooth, we live not in obedience to thoſe *Metropoles* to which the Epiſtles were directed! From whence we are told how many things we may underſtand by this notion of *Metropolitans*: Eſpecially why *Ignatius* ſuperſcribes his Epiſtle to the *Romans* ἐκκλησία ἥτις προκάθηται ἐν τόπῳ χωρίου Ρωμαίων, *to the Church which preſides in the place of the Roman region, or the ſuburbicarian Provinces.* But let us ſee whe-

ther this place may not be underſtood better without the help of this notion. *Caſaubon* calls it *locutionem barbaram*; *Vedelius* is more favourable to it, and thinks *ſi non elegans, ſaltem vitii libera eſt*, and explains it by the ſuburbicarian Provinces: and makes the ſenſe of it to be ἐν τόπῳ ὃς ἦν χωρίων τῶν Ρωμαίων. *in the place which is the Roman region*, and parallels it with the τὸ κατὰ τὴν παλαιστίνης βηθσαϊδὰ Luk. 9. 10. *Bellarmine* thinks he hath found the Popes univerſal power in this τόπῳ, but methinks the χωρίων Ρωμαίων ſhould hardly be rendred *Orbis univerſus*, unleſs *Bellarmine* were no more skil'd in *Greek*, then *Caſaubon* thinks he was, whom he calls in the place forecited, *hominem Græcarum literarum prorſus ἀμύητον*. The moſt ingenuous conjecture concerning this place, is that of our learned Mr. *Thorndike*. *The word* τόπῳ, *ſaith he, is here uſed as many times beſides, ſpeaking of thoſe places which a man would neither call Cities nor Towns, as* Act. 27. 2. μέλλοντες πλεῖν τοὺς κατὰ τὴν Ἀσίαν τόπους, *being to ſail by the places of* Aſia. χώρα, *it is plain it ſignifies the countrey,* τόπῳ χωρίς Ρωμαίων *then muſt neceſſarily ſignifie here the* Vaticane *lying in the Fields as a ſuburb to* Rome, *and being the place where St.* Peter *was buried, and where the Jews of* Rome *then dwelt, as we learn by* Philo, *legatione ad Caium*, out of whom he produceth a large place to that purpoſe, and ſo makes this the Church of the Jewiſh Chriſtians, *the Vaticane being then the Jewry of Rome*; but there being no clear evidence of any ſuch diſtinction of Churches there, and as little reaſon why *Ignatius* ſhould write to the Church of Jewiſh Chriſtians, and not to the Church of the Gentile Chriſtians, I therefore embrace his ſenſe of the τόπῳ χωρίς Ρωμαίων for the *Vatican*, but explain it in another way, *viz.* we have already ſhewed that the chief places of meeting for the Chriſtians in *Gentile Rome*, was in the *Cœmeteries* of the Martyrs; now theſe *Cœmeteria* were all of them without the City; and the *Cœmeteria* where *Peter*, *Linus*, *Cletus*, and ſome other of the Primitive Martyrs lay interd in the *Vatican*, beyond the river *Tiber*. So *Damaſus* in the life of *Cletus*, *Qui etiam ſepultus eſt juxta corpus B. Petri in Vaticano.* The Church then in the place of the region of the *Romans*, is the Chriſtian Church

Exercit. 16. *n.* 150. *Exercit. in ep. Ignat. ad Rom. c.* 2.

Laws of the Chur. *cap.* 18. *p.* 164.

Church of *Rome*, assembling chiefly in the *Cœmeteries* of the *Vatican*, or any other of those vaults which were in the Fields at a good distance from the City. But yet there is one argument more for *Metropolitans*, and that is from the importance of the word παροικία, which is taken to signifie both the City and Country; and so the inscription of *Clemens* his Epistle is explained ἐκκλησία θεῦ ἡ παροικοῦσα Ῥώμην, ἐκκλησία θεῦ τῇ παροικούσῃ Κόρινθον, i. e. *the Church of God dwelling about* Rome *to the Church dwelling about* Corinth, whereby is supposed to be comprehended the whole territories, which (being these were *Metropoles*) takes in the whole Province. And so *Polycarp*, τῇ ἐκκλησίᾳ τῦ θεῦ τῇ παροικούσῃ Φιλίππους, But all this ariseth from a mistake of the signification of the word παροικῆν which signifies not so much *accolere* as *incolere*: and therefore the old Latin Version renders it *Ecclesiæ Dei quæ est Philippis*. Πάροικος is παρ' ἄλλης πόλεως ἄλλην οἰκῶν, one that removes from one City to sojourn in other. And the ground of attributing that name to the Christian Churches, was either because that many of the first Christians being Jews, they did truly παροικεῖν, being as strangers out of their own country, or else among the Christians, because by reason of their continual persecutions they were still put in mind of their flitting uncertain condition in the world, their πολίτευμα, *country*, *citizenship* being in heaven. Of this the Apostles often tell them: from hence it came to signifie the society of such Christians so living together; which as it increased so the notion of the word παροικία increased, and so went from the City into the country, and came not from the country into the City; for if παροικῆν should be taken for *accolere*, then it necessarily follows that ἐκκλησία παροικοῦσα Ῥώμην cannot signifie the Church of *Rome*, and the territories belonging to it, but the Church adjacent to *Rome*, distinct from the City, and the Church in it. For in that sense παροικῆν is opposed to living in the City, and so πάροικοι are distinct from the Citizens, as in *Thucydides* and others; but I believe no instance can possibly be produced wherein παροικία taken in that sense doth comprehend in it both City and country. But being taken in the former sense, it was first applyed to the whole Church

Phil. 3. 20.

of the City: but when the Church of the City did ſpread its ſelf into the Countrey, then the word παροικία comprehended the Chriſtians both in City and Country adjoyning to it:

§. 4. Which leads me to the *ſecond ſtep* of Chriſtian Churches, *when Churches took in the villages and territories adjoyning to the Cities:* For which we muſt underſtand that the ground of the ſubordination of the villages and territories about, did primarily ariſe from hence, that the Goſpel was ſpread abroad from the ſeveral Cities into the Countreys about. The Apoſtles themſelves preached, as we read moſt in Scripture, in the Cities, becauſe of the great reſort of people thither; there they planted Churches, and ſetled the Government of them in an *Eccleſiaſtical Senate*, which not only took care for the government of Churches already conſtituted, but for the gathering more. Now the perſons who were imployed in the converſion of the adjacent territories, being of the *Clergy* of the City, the perſons by them converted were adjoined to the Church of the City; and all the affairs of thoſe leſſer Churches were at firſt determined by the Governours of the City; Afterwards when theſe Churches increaſed, and had peculiar officers ſet over them by the Senate of the City Church, although theſe did rule and govern their flock, yet it always was with a ſubordination to, and dependence upon the government of the City Church. So that by this means, he that was Preſident of the Senate in the City, did likewiſe ſuperintend all the Churches planted in the adjoyning territories, which was the original of that which the Greeks call παροικία, the Latins the *Dioceſs* of the Biſhop. The Church where the Biſhop was peculiarly reſident with the Clergy, was called *Matrix Eccleſia*, and *Cathedra principalis*, as the ſeveral Pariſhes which at firſt were divided according to the ſeveral *regions* of the City, were called *Tituli*, and thoſe planted in the territories about the City, called *Paræciæ*, when they were applyed to the *Presbyters*; but when to the Biſhop, it noted a Dioceſs: thoſe that were planted in theſe country pariſhes, were called πρεσβύτεροι ἐπιχώριοι, οἱ ἐν χώραις by the Greeks, and by the Latins *Presbyteri regionarii, conregionales, foraſtici, ruris agrorum Presbyteri*; from whom

Cod. Eccleſ. Afric. c. 33. can. 71.

whom the χωρεπίσκοποι were distinct, as evidently appears by the thirteenth Canon of the *Council* of *Neocæsarea*: *where the Country Presbyters are forbidden to administer the Lord Supper in the presence of the Bishop or the Presbyters of the City; but the Chorepiscopi were allowed to do it.* *Salmasius* thinks these χωρεπίσκοποι were so called as τῶν χωρῶν ἐπίσκοποι, the *Episcopi villani*, such as were only Presbyters, and were set over the Churches in Villages; but though they were originally Presbyters, yet they were raised to some higher authority over the rest of the Presbyters, and the original of them seems to be, that when Churches were so much multiplyed in the Countries adjacent to the Cities, that the Bishop in his own person could not be present to oversee the actions and carriages of the several Presbyters of the Country Churches, then they ordained some of the fittest in their several *Dioceses* to super-intend the several Presbyters lying remote from the City; from which Office of theirs they were called περιοδευται, because they did περιοδεύειν, go about, and visit the several Churches. This is the account given of them by *Beza* and *Blondel* as well as others. All these several places that were conveyed to the Faith by the assistance of the Presbyters of the City, did all make but one Church with the City. Whereof we have this two-fold evidence. *First*, from the *Eulogiæ* which were at first parcels of the Bread consecrated for the Lords Supper, which were sent by the *Deacons* of *Acoluthi* to those that were absent, in token of their Communion in the same Church. *Justin Martyr* is the first who acquaints us with this custom of the Church; *After*, saith he, *the President of the Assembly hath consecrated the Bread and Wine, the Deacons stand ready to distribute it to every one present,* καὶ τοῖς οὐ παροῦσιν ἀποφέρουσι, *and carry it to those that are absent.* *Damasus* attributes the beginning of this custom to *Miltiades* Bishop of *Rome*. *Hic fecit ut oblationes consecratæ per ecclesias ex consecratione Episcopi dirigerentur: quod declaratur fermentum.* So *Innocentius ad Decentium*; *De fermento vero quod die Dominica per titulos mittimus, &c. ut se à nostra communione maxime illa die non judicent separatos.* Whereby it appears to have been the custom at *Rome* and other places to send from the Cathe-

Apparatus p. 240. de primat. c. 1. p. 10. c. 11. p. 164.

Beza de Minist. grad. c. 24. Blondel. Ap. p. 94.

Apol. 2. p. 97.

Cap. 5.

dral Church the Bread consecrated to the several Parish Churches, to note their joint-communion in the faith of the Gospel. Neither was it sent only to the several *tituli* in the City, but to the Villages round about, as appears by the *Question* propounded by *Decentius*; although at *Rome* it seems they sent it only to the Churches within the City, as appears by the answer of *Innocentius*: but *Albaspinus* takes it for granted as a general custom upon some set days to send these *Eulogiæ* through the whole *Dioceſs*. *Nam cum per vicos & agros ſparſi & diffuſi, ex eadem non poſſint ſumere communione, cuperentque ſemper unionis Chriſtianæ, & Chriſti corporis ſpeciem quam poſſint maximam retinere, ſolenniſſimis diebus & feſtivis ex matrice per parochias, benedictius mittebatur panis, ex cujus perceptione communitas qua inter omnes fideles ejuſdem Dioeceſis intercedere debet, intelligebatur & repreſentabatur.* Surely then their Dioceſſes were not very large; if all the several Parishes could communicate on the same day with what was sent from the Cathedral Church. Afterwards they sent not part of the Bread of the Lords Supper, but some other in Analogy to that, to denote their mutual confeſſeration in the faith and communion in the same Church. *Secondly*, it appears that still they were of the same Church, by the presence of the *Clergy* of the Country at the choice of the Bishop of the City, and at Ordinations, and in Councils. So at the choice of *Boniface*, *Relicti ſinguli titulis ſuis Preſbyteri omnes aderunt qui voluntatem ſuam, hoc eſt Dei judicium proloquantur*, whereby it is evident that all the Clergy had their voices in the choice of the Bishop. And therefore *Pope Leo* requires these things as necessary to the ordination of a Bishop, *Subſcriptio clericorum, Honoratorum teſtimonium, ordinis conſenſus & plebis:* and in the same Chapter, speaking of the choice of the Bishop, he saith it was done *ſubſcribentibus plus minus ſeptuaginta Preſbyteris.* And therefore it is observed that all the Clergy concurred to the choice even of the Bishop of *Rome*, till after the time of that *Hildebrand* called *Greg. 7.* in whose time *Popery* came to *Age*: thence *Caſaubon* calls it *Hereſin Hildebrandinam*. *Cornelius* Bishop of *Rome* was chosen *Clericorum pene omnium teſtimonio*; and in the Council at *Rome* under *Sylveſter* it is decreed that none

Obſervat. l. 1. c. 8.

M. Caſaub. Exercit. 16. ſ. 33. Salmaſ. App. p. 243

Ep. ad Honor. a Preſbyt. Rom.

Ep. 50.

Cypr. ep. 32.

of

of the Clergy ſhould be ordained, *niſi cum tota adunata Eccleſia.* Many inſtances are brought from the Councils of *Carthage* to the ſame purpoſe, which I paſs over as commonly known. It was accounted the matter of an accuſation againſt *Chryſoſtom* by his enemies, ὅτι ἄνευ συνεδρίου καὶ ἄνδρῶν γνωίμων τὰ πλήθη πείθει τὰς χειροτονίας, *that he ordaineth without the Councel and Aſſiſtance of his Clergy.* The Preſence of the Clergy at Councels hath been already ſhewed. Thus we ſee how, when the Church of the City was enlarged into the Country, the power of the Governors of the Church in the City was extended with it. *Con. 3. c. 4. & 5. Con. 2. c. 10, 11. Photius Cod. 59. p. 15.*

§ 5. The next ſtep obſervable in the Churches increaſe, was *when ſeveral of theſe Churches lying together in one Province did aſſociate one with another.* The Primitive Church had a great eye to the preſerving unity among all the members of it, and thence they kept ſo ſtrict a correſpondency among the ſeveral Biſhops in the *Commercium Formatarum* (the *formulæ* of writing, which to prevent deceit, may be ſeen in *Juſtellus* his Notes on the *Codex Canonum Eccleſiæ Africanæ*) and for a maintaining of nearer correſpondency among the Biſhops themſelves of a Province, it was agreed among themſelves for the better carrying on of their common Work, to call a Provincial Synod twice every year to debate all cauſes of concernment there among themſelves, and to agree upon ſuch ways as might moſt conduce to the advancing the common intereſt of Chriſtianity. Of theſe *Tertullian* ſpeaks, *Aguntur præcepta per Græcias illas certis in locis Concilia ex univerſis Eccleſiis, per quæ & altiora quæq; in communi tractantur, & ipſa repreſentatio nominis Chriſtiani magna veneratione celebratur.* Of theſe the *thirty eighth Canon Apoſtolical* (as it is called) expreſly ſpeaks (which Canons though not of authority ſufficient to ground any right upon, may yet be allowed the place of a Teſtimony of the practice of the Primitive Church, eſpecially towards the third Century) Δεύτερον τῶν ἐτῶν σύνοδον γινέσθαι περὶ ἐπισκόπων, καὶ ἀνακειμένων ἀλλήλαις τὰ δόγματα τῆς ἀσεβείας καὶ τὰς ἐμπιπτούσας ἐκκλησιαστικὰς ἀντιλογίας διαλύεσθαι. *Twice a year a Synod of Biſhops was to be kept for diſcuſſing matters of Faith, and reſolving matters of Practice.* To the *Pag. 127. De jejunio adverſ. Pſych. Can. Apoſt. cap. 38.*

same purpose the Council of *Antioch*. *A. D.* 343. Διὰ τὰς ἐκκλησιαστικὰς χρείας, καὶ τὰς τῶν ἀμφισβητουμένων διαλύσεις καλῶς ἔχειν ἔδοξε συνόδους καθ' ἑκάστην ἐπαρχίαν τῶν ἐπισκόπων γίνεσθαι δὶς τοῦ ἔτους. To these Councils the Presbyters and Deacons came, as appears by that Canon of the Council of *Antioch*; and in the seventh Canon of the *Nicene* Council by *Alphonsus Pisanus* the same custom is decreed, but no such thing occurs in the *Codex Canonum*, either of *Tilius* or *Justellus* his Edition; and the *Arabick* Edition of that Council is conceived to have been compiled above Four hundred years after the Council set. But however we see evidence enough of this practic of celebrating Provincial Synods twice a year; now in the Assembling of these Bishops together for mutual counsel in their affairs, there was a necessity of some order to be observed. There was no difference as to the power of the Bishops themselves, who had all equal authority in their several Churches, and none over one another. For *Episcopatus unus est cujus à singulis in solidum pars tenetur*, as *Cyprian* speaks; and as *Jerome*, *Ubicunq; Episcopus fuerit, sive Romæ, sive Eugubii, sive Constantinopolis, sive Rhegii, sive Alexandriæ, sive Tanis, ejusdem est meriti, ejusdem est Sacerdotii. Potentia divitiarum & paupertatis humilitas, vel sublimiorem, vel inferiorem Episcopum non facit: Cæterum omnes Apostolorum successores sunt.* There being then no difference between them, no man calling himself *Episcopum Episcoporum*, as *Cyprian* elsewhere speaks, some other way must be found out to preserve order among them, and to moderate the affairs of the Councils; and therefore it was determined in the Council of *Antioch*, that he that was the Bishop of the *Metropolis*, should have the honour of Metropolitan among the Bishops, Διὰ τὸ ἐν τῇ μητροπόλει πανταχόθεν συντρέχειν πάντας τοὺς τὰ πράγματα ἔχοντας, ὅθεν ἔδοξε καὶ τὴν τιμὴν προηγεῖσθαι αὐτῆν· *because of the great confluence of people to that City, therefore we should have the prehominence above the rest.* We see how far they are from attributing any Divine Right to *Metropolitans*; and therefore the Rights of Metropolitans are called by the sixth *Canon* of the *Nicene Council*, τὸ ἀρχαῖα ἔθη, which had been a dishonourable introduction for the Metropolitan

Can. 20. in Cod. Can. 97.

De veritate Eccles.

Ep. ad Evagrum.

Can. 17.

Metropolitan rights, had they thought them grounded upon Apostolical institution. Nothing more evident in Antiquity then the honour of *Metropolitans* depending upon their *Sees*; thence when any Cities were raised by the Emperor to the honour of *Metropoles*, their Bishop became a Metrolitan, as is most evident in *Justiniana prima*, and for it there are *Canons* in the Councils decreeing it; but of this more afterwards. The chief Bishop of *Africa* was only called *prima sedis Episcopus*: thence we have a *Canon* in the *Codex Ecclesiæ Africanæ*, "Ὡστε ὁ τῆς πρώτης καθέδρας ἐπίσκοπος μὴ λεγέσθω ἔξαρχος τῶν ἱερέων ἢ ἀρχιερεὺς ἢ σουμμόσπονδός τι τοιοῦτον· ἀλλὰ μόνον ἐπίσκοπος τῆς πρώτης καθέδρας. *That the Bishop of the chief See should not be called the Exarch of the Priests, or chief Priest, or any thing of like nature, but only the Bishop of the chief Seat.* Therefore it hath been well observed that the *African* Churches did retain longest the Primitive simplicity and humility among them; and when the voice was said to be heard in the Church upon the flowing in of riches, *Hodie venenum effusum est in Ecclesiam*, by the working of which poyson the spirits of the Prelates began to swell with pride and ambition (as is too evident in Church History) only *Africa* escaped the infection most, and resisted the tyrannical incroachments of the *Roman* Bishop, with the greatest magnanimity and courage, as may be seen by the excellent Epistle of the *Council* of *Carthage* to *Boniface* Bishop of *Rome* in the *Codex Ecclesiæ Africanæ*. So that however *Africa* hath been always fruitful of monsters, yet in that ambitious age it had no other wonder but only this, that it should escape so free from that *typhus secularis* (as they then called it) that monstrous itch of pride and ambition. From whence we may well rise to the last step of the power of the Church, which was after the Empire grew Christian, and many Provinces did associate together, then the honour and power of *Patriarchs* came upon the stage. And now began the whole Christian world to be the *Cock-pitt*, wherein the two great *Prelates* of *Rome* and *Constantinople* strive with their greatest force for mastery of one another, and the whole world with them, as may be seen in the actions of *Paschasinus* the *Roman Legat* in the *Council* of *Chalcedon*. From whence forward

Can. 39.

Pag. 341.

ward the great *Leviathan* by his tumbling in the Waves endeavoured to get the Dominion of all into his hands: but God hath at last put a hook into his noſtrils, and raiſed up the great inſtruments of Reformation, who like the Sword-fiſh have ſo pierced into his Bowels, that by his tumbling he may only haſten his approaching ruine, and give the Church every day more hopes of ſeeing its ſelf freed from the tyranny of an Uſurped power. By this ſcheme and draught now of the increaſe of the Churches power, nothing can be more evident, then that it riſe not from any divine inſtitution, but only from Poſitive and Eccleſiaſtical Laws made according to the ſeveral ſtates and conditions wherein the Church was; which as it gradually grew up, ſo was the power of the Church by mutual conſent fitted to the ſtate of the Church in its ſeveral ages. Which was the firſt argument that the Primitive Church did not conceive it ſelf bound to obſerve any one unalterable form of Government. This being the chief, the reſt that follow, will ſooner be diſpatched.

§ 6. The *ſecond* is from the great varieties as to Government which were in ſeveral Churches. What comes from Divine right is obſerved unalterably in one uniform and conſtant tenour: but what we find ſo much diverſified according to ſeveral places, we may have ground to look on only as an Eccleſiaſtical conſtitution, which was followed by every Church as it judged convenient. Now as to Church Government we may find ſome Churches without Biſhops for a long time, ſome but with one Biſhop in a whole Nation, many Cities without any, where Biſhops were common; many Churches diſcontinue Biſhops for a great while where they had been; no certain rule obſerved for modelling their Dioceſſes where they were ſtill continued. Will not all theſe things make it ſeem very improbable that it ſhould be an Apoſtolical inſtitution, that no Church ſhould be without a Biſhop? Firſt then ſome whole Nations ſeem to have been without any Biſhops at all, if we may belive their own Hiſtorians. So if we may believe the great *Antiquaries* of the Church of *Scotland*, that Church was governed by their *Culdei*, as they called their Presbyters, without any Biſhop over them, for a long time. *Johannes Major* ſpeaks of their inſtruction in the Faith, *Per ſacerdo-*

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tes & Monachos ſine Epiſcopis Scoti in fide eruditi; but leſt that ſhould be interpreted only of their converſion, *Johannes Fordonus* is clear and full as to their Government, from the time of their converſion about *A. D.* 263. to the coming of *Palladius A. D.* 430. that they were only governed by Presbyters and Monks. *Ante Palladii adventum habebant Scoti fidei Doctores ac Sacramentorum Miniſtratores Presbyteros ſolummodo, vel Monachos ritum ſequentes Eccleſiæ Primitivæ.* So much miſtaken was that learned man, who ſaith, that neither *Bede* nor any other affirms that the *Scots* were formerly ruled by a Presbytery, or ſo much as that they had any Presbyter among them. Neither is it any ways ſufficeint to ſay that theſe Presbyters did derive their authority from ſome Biſhops: for however we ſee here a Church governed without ſuch, or if they had any, they were only choſen from their *Culdei*, much after the cuſtom of the Church of *Alexandria*, as *Hector Boethius* doth imply. And if we believe *Philoſtorgius*, the *Gothick* Churches were planted and governed by Presbyters for above ſeventy years: for ſo long it was from their firſt converſion to the time of *Ulphilas*, whom he makes their firſt Biſhop. And great probability there is, that where Churches were planted by Presbyters, as the Church of *France* by *Andochius* and *Inignus*, that afterwards upon the increaſe of Churches and Presbyters to rule them, they did from among themſelves chooſe one to be as the Biſhop over them, as *Pothinus* was at *Lyons*. For we no where read in thoſe early plantations of Churches, that where there were Presbyters already, they ſent to other Churches to derive Epiſcopal ordination from them. Now for whole Nations having but one Biſhop, we have the teſtimony of *Sozomen*, that in *Scythia*, which by the *Romans* was called *Maſia inferior*, πολλαὶ πόλεις ὄντες ἕνα πάντες ἐπίσκοπον ἔχουσιν. *Although there were many Cities they had but one Biſhop.* The like *Godignus* relates of the Abaſſine Churches, though their Territories be of vaſt extent, there is but only one Biſhop in all thoſe Dominions, who is the Biſhop of *Abuna*. And where Biſhops were moſt common, it is evident they looked not on it as an Apoſtolical rule for every City to have a Biſhop, which it muſt have, if it was an Apoſtolical inſtitution for the Church to follow

De geſtis Scot. lib. 2. cap. 2.

Scot. chron. l. 3. cap 8.

V. Blondel. Apol. ſ. 3. page 314.

Scot. hiſt. lib. 6. Eclog. l. 2. cap. 5.

Hiſt. eccl. l. 7. cap. 19.

De rebus Abaſſin. l. 1. c. 32.

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Ep. 113. the Civil Government. *Theodoret* mentions 800 Churches under his charge, in whose *Diocess Ptolomy* placeth many other Cities of Note besides *Cyrus*, as *Ariseria*, *Regia*, *Ruba*, *Heraclea*, &c. In the Province of *Tripoly* he reckons nine Cities which had but five Bishops, as appears by the *Notitia Ecclesiæ Africanæ*. In *Thracia* every Bishop had several Cities under him. The Bishop of *Heraclea* that and *Panion*; the Bishop of *Byze* had it and *Arcadiopolis*; of *Cæla* had it and *Callipolis*; *Sabsudia* had it and *Aphrodisius*. It is needless to produce more instances of this nature either ancient or modern, they being so common and obvious. But further we find Bishops discontinued for a long time in the greatest Churches. For if there be no Church without a Bishop, where was the Church of *Rome* when from the Martyrdome of *Fabian*, and the banishment of *Lucius* the Church was governed only by the Clergy? So the Church of *Carthage* when *Cyprian* was banished; the Church of the East, when *Meletius* of *Antioch*, *Eusebius*, *Somosatenus*, *Pelagius* of *Laodicea* and the rest of the Orthodox Bishops were banished for ten years space, and *Flavianus* and *Diodorus* two Presbyters ruled the Church of *Antioch* the mean while. The Church of *Carthage* was twenty four years without a Bishop in the time of *Hunerik*, King of the *Vandals*; and when it was offered them that they might have a Bishop upon admitting the *Arrians* to a free exercise of their Religion among them, their answer was upon those terms, *Ecclesia episcopum non delectatur habere*; and *Balsamon* speaking of the Christian Churches in the East, determines it neither safe nor necessary in their present state to have Bishops set up over them. And lastly for their *Dioceses*, it is evident there was no certain rule for modelling them. In some places they were far less then in others. Generally in the Primitive and Eastern Churches they were very small and little, as far more convenient for the end of them in the Government of the Churches under the Bishops charge: it being observed out of *Walafridus Strabo* by a learned man, *Fertur in Orientis partibus per singulas urbes & præfecturas singulas esse Episcoporum gubernationes.* In *Africk*, if we look but into the writings of *Augustine*, we may find hundreds

Geog. l. 5. cap 15.

Ephes. synod. 1. *ad fin. & c.* 7.

Cyprian. ep. 3. 2. 6. 30, 31.

Theodoret l. 4. *c.* 22.

Victor. l. 2. *de pers. Vand.*

In Can. 57. *Laod.*

Thorndike right of the Chur. p. 62.

De rebus Ecclesiast

hundreds of Bishops resorting to one Council. In *Ireland* alone, St. *Patrick* is said by *Ninius* at the first Plantation of Christianity to have founded 365 Bishopricks. So *Sozomen* tells us, that among the *Arabians* and *Cyprians*, *Novatians* and *Montanists*, Ἐν κώμαις ἐπισκοπὰς ἱερώνλαι, the very Villages had Bishops among them. *Lib 7. c. 19*

Sect. 7.

The next evidence that the Church did not look upon it self as bound by a Divine Law to observe any one Model of Government, is, the conforming the Ecclesiastical Government to the Civil. For if the obligation arose from a Law of God, that must not be altered according to civil Constitutions, which are variable according to the different state and conditions of things. If then the Apostles did settle things by a standing Law in their own times, how comes the Model of Church-Government to alter with the Civil Form? Now that the Church did generally follow the Civil Government, is freely acknowledged and insisted on by learned persons of all sides; especially after the division of the Roman Empire by *Constantine* the Great. The full making out of which is a work too large to be here undertaken, and hath been done to very good purpose already, by *Berterius*, *Salmasius*, *Gothofred*, *Blondel* and others, in their learned Discourses of the *Suburbicarian Provinces*. Which whether by them we understand that which did correspond to the Præfecture of the *Provost* of *Rome*, which was within a hundred miles compass of the City of *Rome*, or that which answered to the *Vicarius Urbis*, whose Jurisdiction was over the Ten Provinces distinct from *Italy*, properly so called, whose *Metropolis* was *Milan*; or which is most probable, the Metropolitan Province answering to the Jurisdiction of the *Præfectus Urbis*, and the *Patriarchate* of the Roman Bishop to the *Vicarius Urbis*: which way soever we take it, we see it answered to the Civil Government. I shall not here enter that debate, but only briefly at present set down the Scheme of both Civil and Ecclesiastical Government, as it is represented by our learned *Brerewood*. The whole Empire of *Rome* was divided into Thirteen Dioceses, whereof seven belonged the *East* Empire, and six (beside the Præfecture of the City of *Rome*) to the *West*. Those Thirteen *Dioceses*, together with that Præfecture

Berteri. Pithan. Diatribæ. Salmas. ep. ad Am. Eucharisti. adver. Simond. De prim. Pan. Fac. Gothofr. Conjectur. Vindiciæ Conjectur. Blondel. de la primauté en la eglise, &c.

Discourse of the Patriarchal Government of the ancient Church. q. 1.

fecture contained among them 120 Provinces, or thereabout; ſo that to every Dioceſs belonged the adminiſtration of ſundry Provinces: Laſtly, every Province contained many Cities within their Territories. The Cities had for their Rulers thoſe Inferiour Judges which in the Law are called *Defenſores Civitatum*; and their Seats were the Cities themſelves, to which all the Towns and Villages in their ſeveral Territories were to reſort for Juſtice. The Provinces had for theirs either *Proconſules*, or *Conſulares*, or *Præſides*, or *Correctores*; four ſundry appellations, but almoſt all of equal Authority, and their Seats were the chiefeſt Cities or *Metropoles* of the Provinces, of which in every Province there was one, to which all Inferiour Cities for judgment in matters of Importance did reſort. Laſtly, the Dioceſſes had for theirs the Lieutenants called *Vicarii*, and their Seats were the *Metropoles* or Principal Cities of the *Dioceſs*, whence the Edicts of the Emperour or other Laws were publiſhed and ſent abroad into all the Provinces of the *Dioceſs*, and where the *Prætorium* and chief Tribunal for Judgment was placed to determine Appeals, and miniſter Juſtice (as might be occaſion) to all the Provinces belonging to that Juriſdiction. And this was the diſpoſition of the Roman Governours.—— And truly it is wonderful (ſaith that learned Author) how nearly and exactly the Church in her Government did imitate this civil Ordination of the *Roman* Magiſtrates. For firſt in every City, as there was a *Defenſor Civitatis* for Secular Government, ſo was there placed a Biſhop for Spiritual Regiment, (in every City of the Eaſt, and in every City of the Weſt, almoſt a ſeveral Biſhop) whoſe Juriſdiction extended but to the City, and the places within the Territory. For which cauſe the Juriſdiction of a Biſhop was anciently called παροικία, ſignifying not (as many ignorant Noveliſts think) *a Pariſh*, as now the word is taken, that is, the Places or Habitations near a Church, but the Towns and Villages near a City: all which, together with the City, the Biſhop had in charge. *Secondly*, In every Province, as there was a Preſident, ſo there was an Archbiſhop, and becauſe his Seat was the principal City of the *Province*, he was commonly known by the name of *Metropolitan*. *Laſtly*, in every *Dioceſs*, as there was a

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purpoſe, which was obſerved next to the Scriptures, not from any obligation of the things themſelves, but from the conduceableneſs of thoſe things (as they judged them) to the preſerving the peace and unity of the Church.

CHAP. VIII.

An Inquiry into the Judgment of Reformed Divines concerning the unalterable Divine Right of particular Forms of Church-Government: wherein it is made appear, that the moſt eminent Divines of the Reformation did never conceive any one Form neceſſary; manifeſted by three Arguments. 1. *From the Judgment of thoſe who make the Form of Church-Government mutable, and to depend upon the Wiſdom of the Magiſtrate and Church. This cleared to have been the Judgment of moſt Divines of the* Church of England *ſince the Reformation. Archbiſhop* Cranmer's *Judgment, with others of the Reformation in* Edward the Sixth's *time, now firſt publiſhed from his authentick* MS. *The ſame ground of ſetling* Epiſcopacy *in Q.* Elizabeth's *time. The Judgment of Archbiſhop* Whitgift, *Biſhop* Bridges, *Dr.* Loe, *Mr.* Hooker, *largely to that purpoſe, in* King James *his time. The* King's *own opinion. Dr.* Sutcliffe. *Since of* Crakanthorp, *Mr.* Hales, *Mr.* Chillingworth. *The teſtimony of Foreign Divines to the ſame purpoſe.* Chemnitius, Zanchy. *French Divines*, Peter Moulin, Fregevil, Blondel, Bochartus, Amyraldus. *Other learned Men*, Grotius, *Lord* Bacon, &c. 2. *Thoſe who look upon equality as the Primitive Form, yet judge Epiſcopacy lawful.* Auguſtane Confeſſion, Melanchton, Articuli Smalcaldici, *Prince of* Anhalt, Hyperius, Hemingius: *The practice of moſt Foreign Churches.* Calvin *and* Beza *both approving Epiſcopacy, and Dioceſan Churches.* Salmaſius, &c. 3. *Thoſe who judge Epiſcopacy to be the Primitive Form, yet look not on it as neceſſary. Biſhop* Jewel, Fulk, Field, *Biſhop* Downam, *Biſhop* Bancroft, *Biſhop* Morton, *Biſhop* Andrews. Saravia, Francis Maſon, *and others. The Concluſion hence laid in order to peace. Principles conducing thereto.* 1. *Prudence muſt be uſed in Church-Government, at laſt confeſſed by all parties.*

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Independents in elective Synods, and Church Covenants, admission of Members, number in Congregations. Presbyterians in Classes and Synods, Lay-elders, &c. Episcopal in Dioceses, Causes, Rites, &c. 2. That prudence best, which comes nearest Primitive practice. A Presidency for life over an Ecclesiastical Senate shewed to be that form, in order to it. Presbyteries to be restored. Dioceses lessened. Provincial Synods kept twice a year. The reasonableness and easiness of Accommodation shewed. The whole concluded.

§. 1. HAving thus far proceeded, through Divine assistance, in our intended method, and having found nothing determining the necessity of any one Form of Government in the several Laws of Nature and Christ, nor in the practice of Apostles, or Primitive Church; the only thing possible to raise a suspition of novelty in this opinion, is, that it is contrary to the judgment of the several Churches of the Reformation. I know it is the last *Asylum* which many run to, when they are beaten off from their imaginary fancies, by pregnant testimonies of Scripture and Reason, to shelter themselves under the Αὐτὸς ἔφη of some particular persons, to whom their Understandings are bored in perpetual slavery: But if Men would but once think their Understandings at age to judge for themselves, and not make them lie under a continual Pupillage, and but take the pains to travel over the several Churches of the Reformation, they would find themselves freed of many strange misprisions they were possessed with before, and understand far better the ground and reason of their pitching upon their several Forms, than they seem to do, who found all things upon a Divine Right. I believe there will, upon the most impartial survey, scarce be one Church of the Reformation brought, which doth imbrace any Form of Government, because it looked upon that Form as only necessary by an unalterable standing Law; but every one took up that Form of Government which was judged most suitable to the state and condition of their several Churches: But that I may the better make this appear, I shall make use of some arguments whereby to demonstrate, that the most eminent Divines that have lived since the Reformation,

nation, it is impoſſible they ſhould confer any thing by their ordination. If to this it be anſwered, that the validity of their ordination did depend upon the conſent of the Biſhops, and that Presbyters may ordain, if delegated thereto by Biſhops, as *Paulinus* might ordain on that account at *Antioch.* It is eaſily anſwered, that this very power of doing it by delegation, doth imply an intrinſecal power in themſelves of doing it. For if Presbyters be forbidden ordaining others by Scriptures, then they can neither do it in their own perſons, nor by delegation from others. For *quod alicui ſuo nomine non licet, nec alieno licebit:* And that rule of *Cyprian* muſt hold true, *Non aliquid cuiquam largiri poteſt humana indulgentia, ubi intercedit & legem tribuit divina præſcriptio.* There can be no diſpenſing with Divine Laws; which muſt be, if that may be delegated to other perſons, which was required of Men in the Office wherein they are. And if Presbyters have power of conferring nothing by their Ordination, how can an after-conſent of Biſhops make that act of theirs valid, for conferring right and power by it? It appears then, that this power was reſtrained by the Laws of the Church, for preſerving Unity in its ſelf; but yet ſo, that in caſe of neceſſity what was done by Presbyters, was not looked on as invalid. But againſt this the caſe of *Iſchyras*, ordained, as it is ſaid, a Presbyter by *Colluthus*, and pronounced null by the Council of *Alexandria*, is commonly pleaded. But there is no great difficulty in anſwering it. For, *Firſt*, the pronouncing ſuch an Ordination null, doth not evidence that they looked on the power of Ordination, as belonging of divine right only to Biſhops; for we find by many inſtances, that acting in a bare contempt of Eccleſiaſtical Canons was ſufficient to degrade any from being Presbyters. *Secondly*, If *Iſchyras* had been ordained by a Biſhop, there were circumſtances enough to induce the Council to pronounce it null. *Firſt*, as done out of the Dioceſs, in which caſe Ordinations nulled by *Concil. Arel. c.* 13. *Secondly*, done by open and pronounced Schiſmaticks. *Thirdly*, done *ſine titulo* ἀπὸ συνόδου, and ſo nulled by the Canons then. *Thirdly*, *Colluthus* did not act as a Presbyter in ordaining, but as a Biſhop of the *Meletian* party in *Cynus*, as the Clergy of *Mareotis* ſpeaking of *Iſchyras* his.

Reg. juris 67.

Epiſt. 68.

V. Blondel. Ap. p. 325.

his Ordination, ὑπὸ Κολλύθου τοῦ Πρεσβυτέρου φαντασίᾳ Ἐπισκοπῆς, by *Collythus* a Presbyter, making shew of being a Bishop; and is supposed to have been ordained a Bishop by *Meletius*. More concerning this may be seen in *Blondel*, who fully clears all the particulars here mentioned. So that notwithstanding this Instance, nothing appears, but that the power of Ordination was restrained only by Ecclesiastical Laws.

Apol. S. 3. *a* 317. *ad* 327.

§. 9. The last thing to prove that the Church did act upon prudence in Church-Government, is, from the many restraints in other cases made by the Church, for restraint of that liberty which was allowed by Divine Laws. He must be a stranger to the ancient Canons, and Constitutions of the Church, that takes not notice of such restraints made by Canons, as in reference to observation of several Rites and Customs in the Churches, determined by the Provincial Synods of the several Churches; for which purpose their Provincial Synods were still kept up in the Eastern Church, as appears by the Testimony of *Firmilian* in his Epistle to *Cyprian*: *Qua ex causa necessario apud nos fit ut per singulos annos seniores & præpositi in unum conveniamus ad disponenda ea quæ curæ nostræ commissa sunt. Ut si quæ graviora sunt communi consilio dirigantur, lapsis quoque fratribus, &c. medela quæratur, non quasi à nobis remissionem peccatorum consequantur; sed ut per nos ad intelligentiam delictorum suorum convertantur, & Domino plenius satisfacere cogantur.* The several Orders about the Discipline of the Church were determined in these *Synods*; as to which, he that would find a command in Scripture for their Orders about the *Catechumeni*, and *Lapsi*, will take pains to no purpose, the Church ordering things it self for the better regulating the several Churches they were placed over. A demonstrative argument, that these things came not from Divine command, is, from the great diversity of these customs in several places: of which besides *Socrates*, *Sozomen* largely speaks, and may be easily gathered from the History of the several Churches: When the Church began to enjoy ease and liberty, and thereby had opportunity of enjoying greater conveniency for Councils; we find what was determined by those Councils, were entred into a *Codex Canonum* for that purpose,

Ep. 75.

Hist. lib. 7. *cap.* 19.

V. Fustel. Præfat. in Cod Canonum Univ. Eccl.

Lieutenant-General, ſo was there a Primate ſeated alſo in the principal City of the *Dioceſs*, as the *Lieutenant* was, to whom the laſt determining of *Appeals* from all the Provinces in differences of the Clergy, and the ſovereign care of all the *Dioceſs* for ſundry points of Spiritual Government did belong. By this you may ſee that there were Eleven Primates beſides the three Patriarchs; for of the Thirteen *Dioceſſes*, (beſides the Præfecture of the City of *Rome*, which was adminiſtred by the Patriarch of *Rome*) that of *Egypt* was governed by the Patriarch of *Alexandria*, and that of the *Orient* by the Patriarch of *Antiochia*, and all the reſt by the *Primates:* between whom and the Patriarchs was no difference of Juriſdiction and Power, but only of ſome Honour which accrued to them by the dignity of their *Sees*; as is clearly expreſſed in the third *Canon* of the Council of *Conſtantinople*, Τὸν μὲν τοῦ Κωνσταντινουπόλεως ἐπίσκοπον ἔχειν τὰ πρεσβεῖα τῆς τιμῆς μετὰ τὸν τῆς Ῥώμης ἐπίσκοπον. διὰ τὸ εἶναι αὐτὴν νέαν Ῥώμην, whereby *Conſtantinople is advanced to the Honorary Title of a Patriarchat next to* Rome, *becauſe it was New* Rome. Whereby it is evident that the Honour belonging to the Biſhop of old *Rome* did ariſe from its being the Imperial City. The Honour of the Biſhop riſing, as *Auſtin* ſaith, that of the *Deacons* of *Rome* did, *propter magnificentiam urbis Romanæ quæ caput eſſe videtur omnium Civitatum.* Hereby now we fully ſee what the original was of the power of *Archbiſhops*, *Metropolitans* and *Patriarchs* in the Church, *viz.* the contemperating the Eccleſiaſtical Government to the Civil.

In Cod. Can. 16.

Queſt. ex utroq. Teſt. q. 101.

§. 8. The next evidence that the Church did not look upon its ſelf as bound by a Divine Law to a certain form of Government, but did order things its ſelf in order to peace and unity, is, that after Epiſcopal Government was ſetled in the Church, yet Ordination by Presbyters was looked on as valid. For which theſe inſtances may ſuffice. About the year 390. *Johannes Caſſianus* reports that one *Abbat Daniel* inferiour to none of thoſe who lived in the Deſert of *Scetis* was made a Deacon, *à B. Paphnutio ſolitudinis ejuſdem Presbytero: In tantum enim virtutibus ipſius adaugebat, ut quem vitæ meritis ſibi & gratiâ parem noverat, coæquare ſibi etiam ſacerdotii honore feſtinaret. Siquidem nequaquam ferens in inferi-*

Collat 4. c. 1.

ore eum ministerio diutius immorari, optansque sibimet successorem dignissimum providere, superstes cum Presbyterii honore provexit. What more plain and evident than that here a Presbyter ordained a Presbyter, which we no where read was pronounced null by *Theophilus* then Bishop of *Alexandria*, or any others at that time? It is a known instance, that in the ordination of *Pelagius* first Bishop of *Rome*, there were only two Bishops concurred, and one Presbyter: whereas according to the fourth *Canon* of the *Nicene* Council, three Bishops are absolutely required for ordination of a Bishop; either then *Pelagius* was no Canonical Bishop, and so the point of Succession thereby fails in the Church of *Rome*: or else a Presbyter hath the same intrinsecal power of ordination which a Bishop hath, but it is only restrained by Ecclesiastical Laws. In the time of *Eustathius* Bishop of *Antioch*, which was done *A. D.* 328. as *Jacobus Gothofredus* proves, till the time of the ordination of *Paulinus*, *A. D.* 362. which was for thirty four years space, when the Church was governed by *Paulinus* and his Colleagues withdrawing from the publick Assemblies; it will be hard to say by whom the ordinations were performed all this while, unless by *Paulinus* and his Colleagues. In the year 452. it appears by *Leo* in his Epistle to *Rusticus Narbonensis*, that some Presbyters took upon them to ordain as Bishops; about which he was consulted by *Rusticus* what was to be done in that case with those so ordained: *Leo* his resolution of that case is observable, *Si qui autem Clerici ab istis pseudo-Episcopis in iis Ecclesiis ordinati sunt, quæ ad proprios Episcopos pertinebant, & ordinatio eorum cum consensu & judicio præsidentium facta est, potest rata haberi, ita ut in ipsis Ecclesiis perseverent.* "Those Clergy-men who were ordained by such as took up-"on them the Office of Bishops, in Churches belonging to "proper Bishops, if the Ordination were performed by the "consent of the Bishops, it may be looked on as valid, and "those Presbyters remain in their Office in the Church. So that by the consent *ex post facto* of the true Bishops, those Presbyters thus ordained, were looked on as Lawful Presbyters, which could not be, unless their Ordainers had an intrinsecal power of Ordination, which was only restrained by the Laws of the Church; for if they have no power of Ordination,

Anast. Bil. vit. Pelag. Prim.

Dissert. in Philost. l. 2. cap. 7.

Ep. 92. c. 1.

mation, have been all of this mind, *That no one Form is determined as neceſſary for the Church of God in all Ages of the World.* For if many of them have *in theſi* aſſerted *the Form of Church Government mutable*; if *theſe who have thought an equality among Miniſters the Primitive Form, have yet thought a Government by Epiſcopacy lawful and uſeful*: If, laſtly, *thoſe who have been for Epiſcopacy, have not judged it neceſſary*, then I ſuppoſe it will be evident, that none of them have judged any one Form taken excluſively of others, to be founded upon an unalterable right: For whatſoever is ſo founded, is made a neceſſary duty in all Churches to obſerve it, and it is unlawful to vary from it, or to change it according to the prudence of the Church, according to the ſtate and condition of it. I now therefore undertake to make theſe things out in their order.

First, I begin with thoſe who have *in theſi* aſſerted the mutability of the Form of Church Government. § 2.
Herein I ſhall not follow the Engliſh humour, to be more acquainted with the ſtate of Forraign places then their own; but it being of greateſt concernment to know upon what accounts Epiſcopal Government was ſetled among our ſelves, in order to our ſubmiſſion to it; I ſhall therefore make enquiry into the judgement of thoſe perſons concerning it, who either have been inſtrumental in ſetling it, or the great defenders of it after its ſettlement. I doubt not but to make it evident, that before theſe late unhappy times, the main ground for ſetling Epiſcopal Government in this Nation, was not accounted any pretence of Divine Right, but the conveniency of that Form of Church Government to the ſtate and condition of this Church at the time of its Reformation: For which we are to conſider, that the Reformation of our Church was not wrought by the Torrent of a popular fury, nor the Inſurrection of one part of the Nation againſt another; but was wiſely, gravely, and maturely debated, and ſetled with a great deal of conſideration. I meddle not with the times of *Henry* 8. when I will not deny but the firſt *quickning* of the Reformation might be, but the matter of it was as yet rude and undigeſted; I date the birth of it from the firſt ſettlement of that moſt excellent Prince *Edward* 6. the *Phoſphorus* of our

Reformation. Who *A. D.* 1547. was no ſooner entred upon his Throne, but ſome courſe was preſently taken in order to Reformation. Commiſſioners with Injunctions were diſpatched to the ſeveral parts of the Land; but the main buſineſs of the Reformation was referred to the Parliament call'd *November* 4. the ſame year, when all former Statutes about Religion were recall'd, as may be ſeen at large in Mr. *Fox*, and Liberty allowed for profeſſing the Goſpel according to the principles of Reformation, all baniſhed perſons for Religion being call'd home. Upon this, for the better eſtabliſhing of Religion, and the publick Order for the Service of God, an *Aſſembly* of ſelect Divines is call'd, by ſpecial order from the Kings Majeſty, for debating of the ſettlement of things according to the Word of God, and the practice of the Primitive Church. Theſe ſate, as Mr. *Fox* tells us in *Windſor Caſtle*; where, as he expreſſeth it, after long, learned, wiſe, and deliberate Adviſes, they did finally conclude and agree upon one uniform order, *&c.* No more is ſaid by him of it, and leſs by the late Hiſtorian. The proceedings then in order to Reformation, being ſo dark hitherto, and obſcure, by what is as yet extant, much light may accrue thereto by the help of ſome authentick MS. which by a hand of Providence, have happily come into my hands; wherein the manner and method of the Reformation will be more evident to the World, and the grounds upon which they proceeded. In the *Convocation* that year ſitting with the Parliament, I find two Petitions made to the Archbiſhop and the Biſhops of the Upper Houſe, for the calling an Aſſembly of ſelect Divines, in order to the ſetling Church Affairs, and for the Kings Grant for their acting in Convocation. Which not being yet to my knowledge extant in publick, and conducing to our preſent buſineſs, I ſhall now publiſh from the MS. of *Biſhop Cranmers*.

Acts and Mon. *Tom.* 2. *p.* 657.

Martyrol. in Tom. 2. *p.* 668, 659.

They run thus:

Certeyne

Certeyne Petitions and Requeſts made by the Clergy of the Lower Houſe of the Convocation, to the moſt Reverend Father in God, the Arch-Biſhop of Canterbury*'s Grace, and the Reſidue of the Prelates of the Higher Houſe, for the furtherance of certeyne Articles following.*

Firſt, "That Eccleſiaſtical Laws may be made and eſtabliſh-"ed in this Realm, by xxxij. perſons, or ſo many as ſhall pleaſe "the Kings Majeſty to name and appoint, according to the "effect of a late Statute made in the Thirty fifth year of the "moſt noble King, and of moſt famous memory, King *Henry* "the Eighth. So that all Judges Eccleſiaſtical proceeding "after thoſe Laws, may be without danger and peril.

"Alſo that according to the ancient cuſtom of this Realm, "and the Tenor of the Kings Writs for the ſummoning of "the Parliament, which be now and ever have been directed "to the Biſhops of every Dioceſe, the Clergy of the Lower "Houſe of the Convocation may be adjoined and aſſociate "with the Lower Houſe of Parliament, or elſe that all ſuch "Statutes and Ordinances as ſhall be made concerning all "matters of Religion and Cauſes Eccleſiaſtical may not paſs "without the ſight and aſſent of the ſaid Clergy.

"Alſo that whereas by the commandment of King *Henry* "the Eighth, certeyne Prelates and other Learned men were "appointed to alter the Service in the Church, and to deviſe "other convenient and uniform order therein, who accor-"ding to the ſame appointment did make certeyne Books as "they be enformed, their requeſt is that the ſaid Books may "be ſeen and peruſed by them for a better expedition of "Divine Service to be ſet furthe accordingly.

"Alſo that Men being called to Spiritual Promotions or Be-"nefices, may have ſome allowance for their neceſſary living, "and other charges to be ſuſteyned and born concerning the "ſaid Benefices in the firſt year wherein they pay the Firſt-Fruits.

The other is:

"Where the Clergy in the preſent Convocation Aſſembled "have made humble ſuite unto the moſt Reverend Father in "God my Lord Arch-Biſhop of *Canterbury*, and all other Bi-"ſhops. That hit may pleaſe them to be a mean to the Kings "Majeſty, and the Lord Protectors Grace, that the ſaid Cler-"gy, according to the tenor of the Kings Will, and the aun-"cient Laws and Cuſtoms of this noble Realm, might have "their rowme and Place, and be aſſociated with the Communs "in the nether Houſe of this preſent Parliament, as Members "of the Communwealth, and the Kings moſt humble Subjects, "and if this may not be permitted and granted to them, "that then no Laws concerning the Chriſtian Religion, or "which ſhall concern eſpecially the perſons, poſſeſſions, rowmes, "lyveings, juriſdictions, goods, or cattalls of the ſaid Clergy "may paſs nor be enacted, the ſaid Clergy not being made pri-"vy thereunto, and their aunſwers and reaſons not heard. The "ſaid Clergy do moſt humbly beſeech an anſwer and declara-"tion to be made unto them, what the ſaid moſt Reverend Fa-"ther in God, and all other the Biſhops have done in this their "humble ſuit and requeſt, to the end that the ſaid Clergy, if "nede be, may choſe of themſelf ſuch able and diſcrete per-"ſons which ſhall effectually follow the ſame ſuite in name of "them all.

"And where in a Statute ordained and eſtabliſhed by aucto-"rite of Parliament at *Weſtminſter*, in the twenty fifth year of "the reigne of the moſt excellent Prince, King *Henry* the "Eighth, the Clergie of this Realm, ſubmitting themſelfe to "the Kings Highneſs, did knowledge and confeſſe according to "the truth, that the Convocations of the ſame Clergie hath "ben and ought to be aſſembled by the Kings Writ; And did "promiſe further *in verbo ſacerdotii*, that they never from "thence forth wolde preſume to attempt, allege, clayme, or "put in ure or enact, promulge or execute any new Canons, "Conſtitutions, Ordinances, Provincials, or other, or by what-"ſoever other name they ſhall be called in the Convocation, "oneles the Kings moſt Royal Aſſent and Liſence may to them "be had, to make, promulge, and execute the ſame. And his "Majeſty to give his moſt Royal Aſſent and Auctorite in that "behalfe

"behalfe upon peyne of every one of the Cleregie doeing the "contrary, and beinge thereof convict, to ſuffre empriſon-"ment, and make Fine at the Kings Will. And that noe Ca-"nons, Conſtitutions, or Ordinances ſhall be made or put in "execution within this Realm by auctorite of the Convoca-"tion of the Clergy, which ſhall be repugnant to the Kings "Prerogative Royal, or the Cuſtomes, Laws or Statutes of this "Realm. Which Statute is eftſoon renewed and eſtabliſhed "in the xxvij. yere of the Reigne of the ſaid moſt noble Kinge, "as by the tenor of both Statutes more at large will appear, "the ſaid Clergie being preſently aſſembled in Convocation by "auctority of the Kings Writ, doe deſire that the Kings Maje-"ſties licence in writeing may be for them obtained and grant-"ed according to the effect of the ſaid Statutes auctoriſeing "them to attempt, entreate, and commune of ſuch matters, "and therein freely to geve their conſents, which otherwiſe "they may not do, upon paine and peril premiſed.

"Alſo the ſaid Cleregie deſireth that ſuch matters as con-"cerneth Religione which be diſputable, may be quietly, and "in good order reaſond and diſputed amongſt them in this "howſe, whereby the verites of ſuch matters ſhall the better "appear. And the dowbtes being opened and reſolutely diſ-"cuſſed, men may be fully perſuaded with the quyetnes of "their Conſciences, and the tyme well ſpent.

Thus far thoſe Petitions, containing ſome excellent propoſals for a through Reformation. Soon after were called together by the Kings ſpecial order, the former ſelect Aſſembly at *Windſor* Caſtle, where met (as far as I can gueſs by the ſeveral Papers delivered in by every one of them ſingly, and ſubſcribed with their own hands, all which I have peruſed) theſe following perſons. *Thomas* Archbiſhop of *Canterbury*, *Edward* Archbiſhop of *Yorke*, the Biſhop of *Rocheſter*, *Edmund* Biſhop of *London*, *Robert* Biſhop of *Carliſle*, Dr. *George Day*, Dr. *Thomas Roberſon*, Dr. *I. Redmayne*, Dr. *Edward Leighton*, Dr. *Symon Matthew*, Dr. *William Treſham*, Dr. *Richard Cozen*, Dr. *Edgeworth*, Dr. *Owen Ogleſthorp*, Dr. *Thyrleby*. Theſe all gave in their ſeveral reſolution in papers, to the Queſtions propounded, with their names ſubſcribed; (a far more prudent way then the

Confuſion

confuſion of verbal and tedious diſputes) all whoſe judgements are accurately ſummed up, and ſet down by the Archbiſhop of *Canterbury* himſelf. Their reſolutions contain diſtinct anſwers to ſeveral ſets of queſtions propounded to them. The firſt Set contained ſeveral queſtions about the Maſs, about the inſtituting, receiving, nature, celebration of it; and whether in the Maſs it be convenient to uſe ſuch ſpeech as the people may underſtand, whether the whole were fit to be tranſlated, or only ſome part of it; with ſeveral other queſtions of the ſame nature. The ſecond Set is more pertinent to our purpoſe, wherein are 17 Queſtions propoſed to be reſolved; Ten of them belong to the number of Sacraments, the other 7 concern Church-Government. The Queſtions are theſe.

Q. 9. "Whether the Apoſtells lacking a higher Power, as in not "having a Chriſtian King among them, made Biſhoppes by "that neceſſity, or by auctorite given them of God?

10. "Whether Biſhops or Prieſts were firſt; and if the Prieſts "were firſt, then the Prieſt made the Biſhop?

11. "Whether a Biſhop hath auctorite to make a Prieſt by the "Scripture or no, and whether any other but only a Biſhop "may make a Prieſt?

12. "Whether in the New-Teſtament be required any Conſe-"cration of a Biſhop and Prieſt, or only appointeinge to the "Office be ſufficient?

13. "Whether (if it fortuned a Prince Chriſtien lerned to con-"quer certen domynyons of Infidells, having non but the Tem-"poral lerned men with him) it be defended by Gods Law, "that he and they ſhould preche and teche the Word of God "there or no, and alſo make and conſtitute Prieſts or no?

14. "Whether it be forfended by Goddes Law, that if it ſo for-"tuned that all the Biſhopps and Prieſts were dedde, and that "the Word of God ſhuld there unpreached, the Sacrament "of Baptiſme and others unminiſtred, than the King of that "Region ſhulde make Biſhoppes and Prieſts to ſupply the ſame "or noe?

16. "Whether a Biſhop or a Prieſt may excommunicate, and "for what Crimes, and whether they only may excommuni-"cate by Goddes Law?

Theſe

Theſe are the Queſtions, to which the Anſwers are ſeverally returned in diſtinct Papers, all of them bound together in a large Volume by Archbiſhop *Cranmer*; and every one ſubſcribed their Names, and ſome their Seals, to the Papers delivered in. It would be too tedious a work to ſet down their ſeveral opinions at large; only for the deſerved reverence all bear to the name and memory of that moſt worthy Prelate, and glorious Martyr, *Archbiſhop Cranmer*, I ſhall ſet down his Anſwer diſtinctly to every one of theſe Queſtions, and the Anſwers of ſome others to the more material queſtions to our purpoſe.

To the 9. Q. "All Chriſtian Princes have committed unto "them immediately of God the holle cure of all their ſubjects, "as well concerning the adminiſtration of Goddes Word for "the cure of Soul, as concerning the miniſtration of things "Political, and civil Governaunce. Archbiſh. Cranmers anſw. *ex ipſo ejus autographo.*

"And in both theis Miniſtrations thei muſt have ſondry Mi-"niſters under them to ſupply that which is appointed to their "ſeveral Office.

"The Cyvile Miniſters under the Kings Majeſty in this "Realm of *England*, be thoſe whom yt ſhall pleaſe his Highneſs "for the tyme to put in auctorite under him; as for example, "the Lord Chancellor, Lord Treaſurer, Lord Greate Maſter, "Lord Privy Seal, Lord Admyrall, Mayres, Shryves, *&c.*

"The Miniſters of Gods Wourde under His Majeſty be the "Biſhops, Parſons, Vicars, and ſuch other Prieſts as be appoint-"ed by his Highneſs, to that Miniſtration; as for example, the "Biſhop of *Canterbury*, the Biſhop of *Dureſme*, the Biſhop of "*Winchęſter*, the Parſon of *Wynwicke*, &c.

"All the ſaid Officers and Miniſters, as well of th'one ſorte "as the other, be appointed, aſſigned, and elected in every "place, by the Laws and Orders of Kings and Princes.

"In the admiſſion of many of theſe Officers bee divers come-"ly Ceremonies and Solemnities uſed, which be not of neceſſi-"y, but only for a goodly order and ſemely faſhion. For if "ſu h Offices and Miniſtrations were committed without ſuch "ſolemn tye, thei were nevertheles truely committed.

"And there is no more promiſe of God, that Grace is given "in the committing of the Eccleſiaſtical Office, then it is the "committing of the Cyvile. In the Apoſtles time, when there

was

"was no Christien Princes by whose authority Ministers of "Gods Word might be appointed, nor synnes by the sword "corrected; there was no remedy then for the correction of "Vice, or appointeinge of Ministers, but only the consent of "Christien multitude amonge themselfe, by an uniform consent "to follow the advice and perswasion of such persons whom "God had most endued with the spirit of Wisdom and Coun-"saile. And at that time, for as much as Christien people "had no Sword nor Governor among them, thei were con-"strained of necessity to take such Curates and Priests, as either "they knew themselfes to be meet thereunto, or else as were "commended unto them by other, that were so replete with "the Spirit of God, with such knowledge in the profession of "Christ, such Wisdom, such Conversation and Councell, that "they ought even of very Conscience to give credit unto "them, and to accept such as by theym were presented. And so "some tyme the Apostles and other unto whom God had gi-"ven abundantly his Spirit, sent or appointed Ministers of "Gods Word, sometime the people did chose such as they "thought meete thereunto. And when any were appointed or "sent by the Apostles or other, the people of their awne volun-"tary will with thanks did accept them; not for the Supremi-"tie, Imperie, or Dominion, that the Apostells had over them "to command as their Princes, or Masters: but as good people, "ready to obey the advice of good Counsellors, and to accept, "any thing that was necessary for their edification and benefit.

Answer to the 10. Q. "The Bishops and Priests were at one time, and were not two "things, but both one Office in the beginning of Christ Reli-"gion.

11. "A Bishop may make a Priest by the Scriptures, and so may "Princes and Governors alsoe, and that by the auctority of "God committed them, and the People alsoe by their Election. "For as we reade that Bishops have done it, so Christien Em-"perors and Princes usually have done it. And the people be-"fore Christien Princes were, commonly did elect their Bi-"shops and Priests.

12. "In the New Testament, he that is appointed to be a Bishop "or a Priest, needeth no consecration by the Scripture; for "election or appointing thereto is sufficient.

It

"It is not againſt Gods Law, but contrary they ought in "dede ſo to do, and there be hiſtoryes that witneſſeth, that "ſome Chriſtien Princes and other Lay-men unconſecrate "have done the ſame. 13.

"It is not forbidden by Gods Law. 14.

"A Byſhop or a Prieſt by the Scripture, is neither com- "manded nor forbidden to excommunicate. But where the "Laws of any Region giveth him authoritie to excommunicate, "there thei ought to uſe the ſame, in ſuch crimes as the Laws "have ſuch authoritie in. And where the Laws of the Region "forbiddeth them, there they have none authoritie at all. "And thei that be no Prieſts may alſo excommunicate, if "the Law allow thereunto. Thus far that excellent perſon, in "whoſe judgment nothing is more clear, then his aſcribing the particular form of Government in the Church to the determination of the Supreme Magiſtrate. This judgement of his, is thus ſubſcribed by him with his own hand. 16.

T. Cantuarienſ. *This is mine opinion and ſentence at this preſent, which I do not temerariouſly define, but do remitt the judgement thereof holly to your Majeſty.*

Which I have exactly tranſcribed out of the Original, and have obſerved generally the form of writing at that time uſed. In the ſame MS. it appears, that the *Biſhop of St. Aſaph*, *Therleby*, *Redman*, and *Cox*, were all of the ſame opinion with the Archbiſhop, that at firſt Biſhops and Presbyters were the ſame; and the two latter expreſly cite the opinion of *Jerome* with approbation. Thus we ſee by the teſtimony, chiefly of him who was inſtrumental in our Reformation, that he owned not Epiſcopacy as a diſtinct order from Presbytery of Divine Right, but only as a prudent conſtitution of the Civil Magiſtrate for the better governing in the Church.

§ 3. We now proceed to the re-eſtabliment of Church-Government under our moſt happy Q. *Elizabeth*. After our Reformation had truely undergone the fiery tryal in Q. *Maries* days, and by thoſe flames was made much more refined and pure, as well as ſplendid and illuſtrious; In the articles of Religion agreed upon, our Engliſh Form of Church Government was only determined to be agreeable to Gods Holy Word; which had been a very low and diminiſhing expreſſion, had they looked on it as abſolutely preſcribed and deter-

mined in Scripture, as the only neceſſary Form to be obſerved in the Church. The firſt who ſolemnly appeared in Vindication of the Engliſh *Hierarchy* was *Arch-Biſhop Whitgift* a ſage and prudent perſon, whom we cannot ſuppoſe either ignorant of the ſenſe of the Church of *England*, or afraid or unwilling to defend it. Yet he frequently againſt *Cartwright* aſſerts, *that the form of diſcipline is not particularly and by name ſet down in Scripture:* And again, *No kind of Government is expreſſed in the word, or can neceſſarily be concluded from thence*, which he repeats over again. *No form of Church Government is by the Scriptures preſcribed to, or commanded the Church of God.* And ſo Dr. *Coſins* his *Chancellor* in *Anſwer to the Abſtract*, *All Churches have not the ſame form of Diſcipline, neither is it neceſſary that they ſhould, ſeeing it cannot be proved that any certain particular form of Church Government is commended to us by the Word of God.* To the ſame purpoſe Dr. *Low*, *Complaint of the Church*, *No certain form of Government is preſcribed in the Word, only general Rules laid down for it.* Biſhop Bridges; *God hath not expreſſed the form of Church Government, at leaſt not ſo as to bind us to it.* They who pleaſe but to conſult the *third* Book of learned and judicious Mr. *Hookers Eccleſiaſtical Polity*, may ſee the mutability of the form of Church Government largely aſſerted and fully proved. Yea this is ſo plain and evident to have been the chief opinion of the Divines of the Church of *England*, that *Parker* looks on it as one of the main foundations of the *Hierarchy*, and ſets himſelf might and main to oppoſe it, but with what ſucceſs, we have already ſeen. If we come lower to the time of King *James*, His Majeſty himſelf declared it in Print, as his judgement; *Chriſtiano cuiq; Regi, Principi ac Republicæ conceſſum, externam in rebus Eccleſiaſticis regiminis formam ſuis præſcribere, quæ ad civilis adminiſtrationis formam quam proximè accedat.* That the Civil power in any Nation, hath the right of preſcribing what external form of Church Government it pleaſe, which doth moſt agree to the Civil Form of Government in the State. Dr. *Sutcliffe de Presbyterio* largely diſputes againſt thoſe who aſſert that Chriſt hath laid down certain immutable Laws for Government in the Church. *Crakanthorpe* againſt *Spalatenſis* doth aſſert the mutability of ſuch things as are founded upon

Pag. 3. Pag. 77. Pag. 81. 82, 83, 84. Pag. 658. Pag. 58. P. 64, 66. Church Gov. pag. 164. De Pol. Eccleſ. l. 2. c. 35. &c. C. 11. p. 66. Defenſ. Eccl. Angl. c. 28 ſ. 12.

on Apoſtolical tradition; *Traditum igitur ab Apoſtolis, ſed traditum & mutabile, & pro uſu ac arbitrio Eccleſiæ mutandum.* To the like purpoſe ſpeak the forecited Authors, as their teſtimonies are extant in *Parker, Biſhop Bridges, Num unumquodq; exemplum Eccleſiæ Primitivæ præceptum aut mandatum faciat?* And again, *Forte rerum nonnullarum in Primitiva Eccleſia exemplum aliquod oſtendere poſſunt, ſed nec id ipſum generale, ne ejuſdem perpetuam regulam aliquam, quæ omnes Eccleſias & ætates omnes ad illud exemplum aſtringat.* So *Archbiſhop Whitgift. Ex facto aut exemplo legem facere iniquum eſt. Nunquam licet, iniquit Zuinglius, à facto ad jus argumentari.* By which principles the Divine Right of Epiſcopacy as founded upon Apoſtolical practice, is quite ſubverted and deſtroyed. To come nearer to our own unhappy times; Not long before the breaking forth of thoſe never ſufficiently to be lamented Inteſtine broyls, we have the judgment of two learned, judicious, rational Authors fully diſcovered as to the point in queſtion. The firſt is that incomparable man Mr. *Hales* in his often cited *Tract of Schiſm:* whoſe words are theſe; *But that other head of Epiſcopal Ambition concerning Supremacy of Biſhops in divers Sea's, one claiming Supremacy over another, as it hath been from time to time a great treſpaſs againſt the Churches peace, ſo it is now the final ruine of it: The Eaſt and Weſt through the fury of the two prime Biſhops being irremediably ſeparated without all hope of reconcilement. And beſides all this miſchief, it is founded on a Vice contrary to all Chriſtian humility, without which no man ſhall ſee his Saviour. For they do but abaſe themſelves and others, that would perſwade us, that Biſhops by Chriſts inſtitution have any ſuperiority over men further then of Reverence, or that any Biſhop is ſuperiour to another, further then Poſitive order agreed upon among Chriſtians hath preſcribed: for we have believed him that hath told us, that in Jeſus Chriſt there is neither high nor low: and that in giving honours, every man ſhould be ready to prefer another before himſelf: which ſaying cuts off all claim certainly of ſuperiority, by title of Chriſtianity, except men think that theſe things were ſpoken only to poor and private men. Nature and Religion agree in this, that neither of them hath a hand in this Hie-*

De Polit. Eccleſ. l. 2. c. 42.

Pag. 13.

raldry of ſecundum ſub & ſupra; *all this comes from compoſition and agreement of men among themſelves; wherefore this abuſe of Chriſtianity to make it Lacquey to Ambition, is a Vice for which I have no extraordinary name of Ignominy, and an ordinary I will not give it, leaſt you ſhould take ſo tranſcendent a Vice to be but trivial.* Thus that grave and wiſe perſon, whoſe words ſavour of a more then ordinary tincture of a true ſpirit of Chriſtianity, that ſcorns to make Religion a footſtool to pride and ambition. We ſee plainly he makes all difference between Church Officers to ariſe from conſent of parties, and not from any Divine Law. To the ſame purpoſe Mr. *Chillingworth* propounds this Queſtion among many others to his Adverſary: *Whether any one kind of theſe external Forms and Orders and Government be ſo neceſſary to the being of a Church, but that they may be diverſe in diverſe places, and that a good and peaceable Chriſtian may and ought to ſubmit himſelf to the Government of the place where he lives, whoſoever he be?* Which Queſtion according to the tenour of the reſt to which it is joined, muſt as to the former part be reſolved in the Negative, and as to the latter in the *Affirmative.* Which is the very thing I have been ſo long in proving of, *viz.* that no one form of Church-Government is ſo neceſſary to the being of a Church, but that a good and peaceable Chriſtian may and ought to conform himſelf to the Government of that place where he lives. So much I ſuppoſe may ſuffice to ſhew that the opinion which I have aſſerted, is no ſtranger in our own Nation, no not among thoſe who have been profeſſed defenders of the Eccleſiaſtical Government of this Church.

Chillingw. Ep. 1. ch. 6. ſ. 39.

§ 4. Having thus far acquainted our ſelves with the ſtate and cuſtoms of our own Countrey, we may be allowed the liberty of viſiting forraign Churches: to ſee how far they concur with us in the matter in queſtion. The firſt perſon whoſe judgment we ſhall produce aſſerting the mutability of the form of Church Government, is that great light of the *German* Church *Chemnitius*, whom *Brightman* had ſo high an opinion of as to make him to be one of the Angels in the Churches of the *Revelation.* He diſcourſing about the Sacrament of Order (as the *Papiſts* call it, lays down theſe following

lowing *Hypotheſes* as certain truths. 1. *Non eſſe Dei verbo mandatum qui vel quot tales gradus ſeu ordines eſſe debent.* 2. *Non fuiſſe tempore Apoſtolorum in omnibus Eccleſiis & ſemper eoſdem & totidem gradus ſeu ordines, id quod ex Epiſtolis Pauli ad diverſas Eccleſias ſcriptis manifeſtè colligitur.* 3. *Non fuit tempore Apoſtolorum talis diſtributio graduum illorum, quin ſæpius unus & idem omnia illa officia, quæ ad miniſterium pertinent, ſuſtineret. Liberæ igitur fuerunt Apoſtolorum tempore tales ordinationes habitâ ratione ordinis, decori & ædificationis,* &c. *Illud Apoſtolorum exemplum Primitiva Eccleſia eadem ratione & ſimili libertate imitata eſt. Gradus enim officiorum miniſterii diſtributi fuerunt: non autem eadem plane ratione ſicut in Corinthiaca vel Epheſina Eccleſia, ſed pro ratione circumſtantiarum cujuſq; Eccleſiæ, unde colligitur quæ fuerit in diſtributione illorum graduum libertas.* The main thing he aſſerts, is, the Churches freedom and liberty as to the orders and degrees of thoſe who ſuperintend the affairs of the Church, which he builds on a threefold foundation. 1. *That the Word of God no where commands, what or how many degrees and orders of Miniſters there ſhall be.* 2. *That in the Apoſtles times, there was not the like number in all Churches, as is evident from* Pauls *Epiſtles.* 3. *That in the Apoſtles times in ſome places one perſon did manage the ſeveral Offices belonging to a Church.* Which three Propoſitions of this *learned Divine*, are the very baſis and foundation of all our foregoing diſcourſe, wherin we have endeavoured to prove theſe ſeveral things at large. The ſame learned perſon hath a ſet diſcourſe to ſhew how by degrees the offices in the Church did riſe, not from any ſet or ſtanding Law, but for the convenient managery of the Churches affairs, and concludes his diſcourſe thus; *Et hæc prima graduum ſeu ordinum origo in Eccleſia Apoſtolica oſtendit quæ cauſa, quæ ratio, quis uſus & finis eſſe debeat hujuſmodi ſeu graduum, ſeu ordinum; ut ſcilicet pro ratione cœtus Eccleſiaſtici, ſingula officia quæ ad miniſterium pertinent, commodius, rectius, diligentius, & iordine cum aliqua gravitate ad ædificationem obeantur.* The ſum is, *It appears by the practice of the Apoſtolical Church, that the ſtate, condition and neceſſity of every particular Church, ought to be the Standard and Meaſure what*

Exam. Con. Trid. cap. 2. de ſacram. ord. can. 1. 413-414.

Pag. 413.

Offices

offices and degree of persons ought to be in it. As to the uncertain number of Officers in the Churches in Apostolical times, we have a full and express testimony of the famous *Centuriators* of *Magdeburge*. *Quot vero in qualibet Ecclesia personæ Ministerio functæ sint, non est in historiis annotatum, nec usquam est præceptum, ut æque multi in singulis essent, sed prout paucitas aut multitudo cœtus postulavit, ita pauciores aut plures ad ministerium ecclesiæ sunt adhibiti.* We see by them there is no other certain rule laid down in Scripture, what number of persons shall act in the governing every Church; only general prudence according to the Churches necessity, was the ground of determining the number then, and must be so still. The next person whose judgment is fully on our side, is a person both of learning and moderation, and an earnest restorer of Discipline as well as Doctrine in the Church. I mean *Hieron Zanchy*, who in several places hath expressed his judgment to the purpose we are now upon. The fullest place is in his *Confession of Faith*, penned by him in the LXX. year of his age; and if ever a man speaks his mind, it must be certainly when he professeth his judgment in a solemn manner by way of his last Will and Testament to the world (that when the *Soul* is going into another world, he may leave his *mind* behind him) Thus doth *Zanchy* in that Confession, in which he declares this to be his judgment as to the form of Church-Government; That in the Apostles times there were but two orders under them, *viz.* of Pastors and Teachers: but presently subjoyns these words, *Interea tamen non improbamus Patres, quod juxta variam, tum verbi dispensandi, tum regendæ Ecclesiæ rationem, varios quoque ordines ministrorum multiplicarint, quando id iis liberum fuit, sicut & nobis; & quando constat id ab illis factum honestis de causis, ad ordinem, ad decorum & ad ædificationem ecclesiæ pro eo tempore pertinentibus.* And in the next section, *Novimus enim Deum nostrum Deum esse ordinis non confusionis, & ecclesiam servari ordine, perdi autem d[illegible], qua de causa multos etiam & diversos, non solum olim in Israele, verum etiam post in ecclesia ex Judæis & Gentibus collecta, ministrorum ordines instituit; & eandem etiam ob causam, liberum reliquit Ecclesiis, ut plures adderent vel non adderent, modo ad ædificationem fierent.*

Cent. 1. l. 2. cap. 7.

Confess. fidei cap. 25. s. 10, 11. Tom. 7. op. Miscel.

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He asserts it to be in the Churches power and liberty to add several orders of Ministers according as it judgeth them tend to edification; and saith, he is far from condemning the Course of the Primitive Church in erecting one as Bishop over the Presbyters, for better managing Church affairs; yea Arch-Bishops, Metropolitans, and Patriarches as instituted by the Primitive Church before the *Nicene Council*, he thinks may be both excused and defended, although afterward they degenerated into Tyranny and Ambition. And in his *observations* upon his *confession*, penned chiefly upon the occasion of the exceptions of *Magnus quidem Vir* (some will guess who that was) taken at the free delivery of his mind concerning the Polity of the Primitive Church, he hath expressions to this purpose: That what was unanimously determined by the Primitive Church without any contradiction to Scripture, did come from the Holy Spirit. *Hinc fit*, saith he, *ut quæ sint hujusmodi, ea ego improbare nec velim, nec audeam bona conscientia. Quis autem ego sim, qui, quod tota ecclesia approbavit, improbem?* Such things, saith he, as are so determined, I neither will nor can with a safe conscience condemn. For who am I, that I should condemn that which the whole Church of God hath approved? A sentence as full of judgment as modesty. And that he might shew he was not alone in this opinion, he produceth two large and excellent discourses of *Martin Bucer* concerning the Polity of the ancient Church, which he recites with approbation; the one out of his Commentaries on the *Ephesians*, the other *de disciplina Clericali*, whereby we have gained another testimony of that famous and peaceable Divine, whose judgment is too large to be here inserted. The same opinion of *Zanchy* may be seen in his Commentaries upon the fourth Command, wherein he asserts no particular form to be prescribed, but only general rules laid down in Scripture, that all be done to edification; speaking of the original of Episcopacy which came not *dispositione Divina*, but *consuetudine Ecclesiastica, atque ea quidem minime improbanda; neque enim hunc ordinem prohibuit Christus, sed potius regulam generalem reliquit per Apostolum, ut in Ecclesia omnia fiant ad ædificationem.* It is then most clear and evident that neither *Bucer*, *Chem*,

Tom. 4. op. l. 1. in 4. præcept. q. 2.

Chemnitius or *Zanchy* did look upon the Church as ſo bound up by any immutable form of Church-Government laid down in Scripture, but it might lawfully and laudably alter it for better edification of the Church. For theſe learned Divines conceiving that at firſt in the Church there was no difference between Biſhop and Presbyter, and commending the Polity of the Church when Epiſcopacy was ſet in a higher order, they muſt of neceſſity hold that there was no obligation to obſerve that Form which was uſed in Apoſtolical times.

Our next enquiry is into the opinion of the *French Church* and the eminent Divines therein. For *Calvin* and *Beza*, we have deſigned them under another rank. At preſent we ſpeak of thoſe who in *theſi* aſſert the form of Church-Government mutable. The firſt we meet with here who fully lays down his opinion as to this matter, is, *Joh. Fregevil*, who although in his *Palma Chriſtiana* he ſeems to aſſert the Divine right of primacy in the Church, yet in his *Politick Reformer*, he aſſerts both forms of Government by equality and inequality, to be lawful. And we ſhall the rather produce his teſtimony, becauſe of the high character given of him by the late *Rev. Biſhop Hall. Wiſe Fregevil, a deep head, and one that was able to cut even betwixt the League, the Church and State*; His words are theſe, *As for the Engliſh Government, I ſay it is grounded upon Gods word ſo far forth as it keepeth the ſtate of the Clergy inſtituted in the Old Teſtament, and confirmed in the New. And concerning the Government of the French Church, ſo far as concerneth the equality of Miniſters, it hath the like foundation in Gods Word: namely in the example of the Apoſtles; which may ſuffice to authorize both theſe Forms of eſtate; albeit in ſeveral times and places None can deny but that the Apoſtles among themſelves were equal, as concerning authority, albeit there were an order for their precedency. When the Apoſtles firſt planted Churches, the ſame being ſmall and in affliction, there were not as yet any other Biſhops, Prieſts, or Deacons but themſelves; they were the Biſhops and Deacons, and together ſerved the Tables. Theſe men therefore whom God raiſeth up to plant a Church, can do no better, then after the examples of the Apoſtles to bear themſelves in equal authority. For this cauſe have the French Miniſters, planters*

P. 70. &c.

Epiſcopacy by Divine right ſ. 5. p. 20.

planters of the Reformed Church in France *uſurped it, howbeit proviſionally —— reſerving liberty to alter it, according to the occurrences. But the equality that reſted among the Biſhops of the Primitive Church, did increaſe as the Churches increaſed; and thence proceeded the Creation of Deacons, and afterwards of other Biſhops and Prieſts; yet ceaſed not the Apoſtles equality in authority; but they that were created, had not like authority with the Apoſtles; but the Apoſtles remained as Soveraign Biſhops, neither were any greater then they. Hereof I do infer that in the State of a mighty and peaceable Church, as is the Church of* England, *or as the Church of* France *(or ſuch might be if God ſhould call it to reformation) the State of the Clergy ought to be preſerved. For equality will be hurtfull to the State, and in time breed confuſion. But as the Apoſtles continued Churches in their equality ſo long as the Churches by them planted were ſmall; ſo ſhould equality be applyed in the planting of a Church, or ſo long as the Church continueth ſmall, or under perſecution; yet may it alſo be admitted as not repugnant to Gods Word in thoſe places where already it is received, rather then to innovate any thing. I ſay therefore that even in the Apoſtles times the ſtate of the Clergy increaſed as the Church increaſed. Neither was the Government under the bondage of* Egypt, *and during the peace of the Land of* Canaan *alike; for* Iſraelites *had firſt Judges, and after their ſtate increaſed, Kings.* Thus far that *Politique Reformer.* Whoſe words are ſo full and pertinent to the ſcope and drift of this whole Treatiſe, that there is no need of any Commentary to draw them to my ſenſe. The next I ſhall pitch upon in the French Church, is, a *Triumvirate* of three as learned perſons in their ſeveral ways as moſt that Church or any ſince the Reformation hath bred; they are *Blondel*, *Bochartus*, and *Amyraldus*. The firſt is that Church Antiquary, *Blondel* the known and learned Aſſertor of *Jerome*'s opinion concerning the Primitive equality of Presbyters, who was likewiſe of *Jerome*'s mind as to the mutability of that form if the Church ſaw fit, as appears by theſe words of his, ſpeaking of that form of Eccleſiaſtical Polity which *Hilary* ſpeaks of, *viz.* the Eldeſt Presbyters having the Primacy of Order above the reſt. *Fac tamen*, ſaith he, *Apoſtolis non modo non improbantibus, ſed palam, laudantibus ortam,* *Apol. pro. Hieron. ſ. 2. p. 53.*

ontam, ego ſanè liberè ab initio obſervatam, Chriſtianiſque ſive, ab Apoſtolis ſive ab eorum diſcipulis traditam, ſed ut mutabilem & pro uſu ac arbitrio Eccleſiæ mutandam (prout in causâ conſimili piæ memoriæ Crakanthorpius *ſenſit) crediderim:* and not long after, *Nec confeſſus capite carentes, aut multipliciter minùs barremus, quàm fervidiores Hierarchici; quibus indagandum curatiùs incumbit; An paſtorum cuiquam quocunque titulo nunc gaudeat, divino jure* μοναρχία *eaque perpetua decreta ſit; An verò in Arbitrio Eccleſiæ, ipſe (qui præeſt Eccleſiæ) ſpiritus reliquerit, ut quocunque modo liberet, ſibi de capite* ἐπισκόπῳ *collegia providerent.* Whereby that moſt learned Writer for Presbytery (as ſome have called him) evidently aſſerts the mutability of the particular Form of Church-Government, and that it is left to the prudence and arbitrement of the Church, to conclude and determine, in what way and manner the Rulers of the Church ſhall act, for moderating the common concernments of the Church. The next is the learned and ingenuous *Bochartus*, who *ex profeſſo*, doth aſſert the opinion I have been pleading thus long in the behalf of, in his Epiſtle to Dr. *Morley*. He having declared himſelf to be of *Jerome*'s mind, as to the Apoſtles times, that the Churches were governed *communi conſilio Presbyterorum*; and withal, aſſerting the great antiquity of Epiſcopacy, as ariſing ſoon after the Apoſtles times, and that *magno cum fructu*, as a very uſeful form of Government: He ſubjoins theſe words directly, overthrowing the Divine Right of either Form of Government, by Epiſcopacy or Presbytery. *Nec Apoſtolorum praxim puto vim habuiſſe legis, in rebus ſuâ natura* ἀδιαφόροις. *Proinde tam qui Presbyteralem, quam Epiſcopalem ordinem juris divini eſſe aſſerunt, videntur* τὴν ἀμφιβολίαν τῶν μέσων διαμαχᾶσθαι. And therefore aſſerts, that the Form of Government muſt be determined, as that in the State is, according to the ſuitableneſs of it to the ſtate, temper and condition of the people it is intended for. The laſt is, judicious *Amyraldus*, whom one deſervedly calls, *one of the greateſt wits of this Age*, in his propoſals for peace with the *Lutherans*, ſpeaking of the different Forms of Church Government in the ſeveral Churches of the Reformation, he lays down this for a foundation of union among the ſeveral

Ad. q. 1. p. 5.

De ſucceſſione ab Eccleſiâ Rom. Deq; pace cum Evang. conſt p. 29. &c.

veral Churches. *Quando igitur Christus quidem & Apostoli hoc disertè constituerunt, debere particulares Ecclesias omnes gubernari à Pastoribus, & aliquâ regiminis formâ temperari, quod ipsa rei necessitas flagitat; quæ verò regiminis ista forma potissimum esse debeat, utrum alii aliis auctoritate præcellant, necne, neque rei natura definivit, neque à Christo aut Apostolis æque disertè constitutum est; id primò in pacificatione statuendum esse videtur, ut quo jure hactenus fuerunt Ecclesiarum Evangelicarum Pastores, eodem porrò esse pergant, neque aliæ aliarum statum convellere nitantur.* "That every Church be permitted "freely to enjoy its own Form, since some kind of Govern- "ment is necessary in all Churches, but no one Form is presci- "bed by Christ or his Apostles; and more fully afterwards to the same purpose. *Quemadmodum etsi igitur Politiarum formæ aliæ aliis aptiores ad finem illum Politicum obtinendum, & accommodatiores esse videntur; Deus tamen qui omnis societatis auctor est atque custos, voluit omnes hominum cœtus eodem jure teneri, sed cuique communitati potestatem esse voluit suas leges sibi condendi, quas ipse Divinâ suâ auctoritate sancit; sic dubitandum quidem non est quin ex variis illis administrandarum Ecclesiarum rationibus, nonnullæ sint aliquanto quàm aliæ conducibiliores ad eum finem adipiscendum quem religio constitutum habet: At voluit tamen sapientissimus indulgentissimusque Deus cuiq; Ecclesiæ jus esse sibi leges eas ferendi quæ ad disciplinam spectant, & ad ordinem conservandum.* Whereby he "grants as much freedom and liberty to every Church, to pre- "scribe Laws to its self, for the regulating the affairs of the "Church, as to any State to pitch upon its particular rules and "ways of Government. So the Church doth in its orders but ob- serve the general rules laid down in Scripture. Having thus fully shewed how many of the most eminent Divines of the Reformation have embraced this opinion of the mutability of the Form of Church-Government, both in our own and foraign Churches, who were far from being the *Proselytes* of *Erastus*; it were easie to add *Mantissæ loco* the concurrent judgement of many very learned Men, as the excellent *Hugo Grotius*, my *Lord Bacon*, Sir *Will. Morice*, and others, who have in print delivered this as their judgement; but seeing such is the temper of many, as to cast by their judgements with an opinion of their

De Imperio summ. Potest. circa sacra c. 11.

L. Bacon Considerat touching Ch. Govern.

Sir *Will. Morrice* of the Sacrament, in sect. 9.

Mr. *Pryn's* 12 queries to the Assembly.

partiality towards the Government of the Church; I have therefore contented my ſelf with the judgment of *Divines*, moſt of them of the higheſt rank ſince the Reformation: whoſe judgments certainly will be ſufficient to remove that prejudice, wherewith this opinion hath been entertained among the blind followers of the ſeveral parties. So much for thoſe, who in terms aſſert the Form of Church-Government not to depend upon an unalterable Law, but to be left to the prudence and diſcretion of every particular Church, to determine it according to its ſuitableneſs to the ſtate, condition, and temper of the people whereof it conſiſts, and conduceableneſs to the ends for which it is inſtituted.

§ 6. We come now in the ſecond place to thoſe, who though they look upon equality of Miniſters as the Primitive Form, yet do allow Epiſcopal Government in the Church as a very lawful and uſeful conſtitution. By which it is evident, that they did not judge the Primitive Form to carry an univerſal obligation along with it, over all Churches, Ages, and Places. Upon this account our learned *Crakanthorp* frees all the Reformed Churches from the charge of *Aërianiſm*, laid upon them by the *Archbiſhop* of *Spalato* (when he licked up his former vomit in his *Conſilium reditûs*) *Crakanthorp*'s words are theſe, ſpeaking of *Luther*, *Calvin*, *Beza*, and all the Reformed Churches; *Non habent illi ſcio, diſtinctos à Presbyteris, eiſque in ordinandi & excommunicandi poteſtate ſuperiores Epiſcopos. At Imparitatem iſtam quod fecit Aërius, non verbo Dei repugnare docent; non damnant eam vel in noſtrâ, vel in univerſali per annos ſuper mille quingentos Eccleſiâ. Per verbum Dei & Jus Divinum, liberum & licitum utrumvis cenſent, vel Imparitatem iſtam admittere vel Paritatem; In Arbitrio hoc eſſe ac poteſtate cujuſvis Eccleſiæ cenſent, utrum Paritatem ordinum admittunt, an Imparitatem.* So that according to the opinion of this learned Divine, all the *Reformed* Churches were free from the Imputation of *Aërianiſm*, becauſe they aſſerted not an *Imparity* among the Miniſters of the Goſpel to be unlawful; but thought it was wholly in the Churches *liberty*, to ſettle either a *Parity* or *Imparity* among them, as they judged convenient. But to deſcend more particularly to the *Heroes* of the Reformation, we have a whole *Conſtellation* of them toge-

Defenſ. Eccleſ. Angl. cap. 42. ſ. 6.

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ther in the *Augustane Confession*, where they fully expres their minds to this purpose; *Hâc de re in hoc conventu sæpè testati sumus, nos summâ voluntate cupere, conservare Politiam Ecclesiasticam, & gradus in Ecclesiâ factos etiam humanâ authoritate. Scimus enim bono & utili consilio à Patribus Ecclesiasticam disciplinam, hoc modo, ut veteres Canones describunt, constitutam esse.* And afterwards, *Sævitia Episcoporum in causâ est, quare alicubi dissolvitur illa Canonica Politia, quam magnopere cupiebamus conservare.* And again, *Hic iterum volumus testatum, nos libenter conservaturos esse Ecclesiasticam & Canonicam Politiam, si modo Episcopi desinant in Ecclesias nostras sævire. Hæc nostra voluntas, & coram Deo & apud omnes gentes ad omnem posteritatem excusabit nos, nè nobis imputari possit, quod Episcoporum authoritas labefactetur.* And yet further, *Sæpe jam testati sumus, nos non solum potestatem Ecclesiasticam, quæ in Evangelio instituta est, summâ pietate venerari, sed etiam Ecclesiasticam Politiam, & gradus in Ecclesiâ magnoperè probare, & quantùm in nobis est conservare cupere.* We see with what industry they purge and clear themselves from the imputation of bearing any ill will to the several degrees that were instituted by the Church; nay they profess themselves desirous of retaining them, so the Bishops would not force them to do any thing against their Consciences. To the same purpose they speak in the Smaraldian Articles. None speaks more fully of the agreeableness of the Form of Government used in the Ages after the Apostles to the Word of God, then that excellent servant of God, as Bishop *Downam* often calls him, *Calvin* doth: For in his *Institutions* he speaks thus of the Polity of the Primitive Church; *Tametsi enim multos Canones ediderunt illorum temporum Episcopi quibus plus viderentur exprimere quàm sacris literis expressum esset; ea tamen cautione totam suam Oeconomiam composuerunt ad unicam illam verbi Dei normam, ut facile videas nihil fere hâc parte habuisse à verbo Dei alienum.* Although the Bishops of those times did make many Canons, wherein they did seem to express more then was in the Word of God; yet they used such caution and prudence in the establishing the Churches Polity according to the Word of God, that hardly will any thing be found in it disagreeing to Gods Holy Word. And

Apolog. Confess. Aug. ad art. 14.

Confess. August. per Cbry. p. p. 365.

Institut. lib. 4. cap. 4. s. 1.

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Sect. 4. afterwards speaking of the Institution of Archbishops and Patriarchs, he saith it was *ad Disciplinæ conservationem*, for preserving the Churches Discipline: and again, *Si rem omisso vocabulo intuemur, reperiemus Veteres Episcopos non aliam regendæ Ecclesiæ formam voluisse fingere, ab ea quam Deus verbo suo præscripsit.* If we consider the matter it self of the Churches Polity, we shall find nothing in it descrepant from, or repugnant to that Form which is laid down in the Word of God. *Calvin* then, whatever form of Government he judged most suitable to the state and temper of the Church wherein he was placed, was far from condemning that Polity which was used in the Primitive Church by a difference as to degrees among the Ministers of the Gospel. He did not then judge any form of Government to be so delivered in Scriptures as unalterably to oblige all Churches and Ages to observe it. *Beza* saith, *he was so far from thinking that the humane order of Episcopacy was brought into the Church through rashness or ambition, that none can deny it to have been very useful as long as Bishops were good. And those that both will and can, let them enjoy it still.* His words are these, *Absit autem ut hunc ordinem, etsi Apostolica & mere divina dispositione non constitutum, tamen ut temere aut superbe invectum reprehendam; cujus potius magnum usum fuisse quamdiu boni & sancti Episcopi Ecclesiis præfuerunt, quis inficiari possit? Fruantur igitur illo qui volent & poterunt.* And elsewhere professeth *all reverence, esteem, and honour to be due to all such modern Bishops, who strive to imitate the example of the Primitive Bishops in a due reformation of the Church of God, according to the rule of the Word. And looks on it as a most false and impudent Calumny of some that said as though they intended to prescribe their form of Government to all other Churches; as though they were like some ignorant fellows who think nothing good but what they do themselves.* How this is reconcileable with a novel pretence of a *jus divinum*, I cannot understand. For certainly if *Beza* had judged that only form to be prescribed in the word which was used in *Geneva*, it had been but his duty to have desired all other Churches to conform to that. Neither ought *Beza* then to be looked on as out-going his Master *Calvin* in the opinion

De Ministr. gradibus, cap. 23. p. 144.

Cap. 21. p. 126, 127.

opinion about the right of Church-Government. For we see he goes no farther in it then *Calvin* did. All that either of them maintained, was, that the form of Government in use among them, was more agreeable to the Primitive form, then the modern Episcopacy was, and that Episcopacy lay more open to Pride, Laziness, Ambition, and Tyranny, as they had seen and felt in the Church of *Rome*. Therefore not to give occasion to such incroachments upon the liberty of mens Consciences, as were introduced by the tyranny of the *Roman* Bishops, they thought it the safest way to reduce the Primitive parity, but yet so, as to have an Ecclesiastical Senate for one Church containing Cities and Territories, as is evident at *Geneva*, and that Senate to have a President in it; and whether that President should be for life, or only by course, they judged it an accidental and mutable thing: but that there should be one, essential and necessary. This is expresly and fully the judgement of that most Reverend and Learned man, *Th. Beza*, as he declares it himself. *Essentiale fuit in eo de quo hic agimus, quod ex Dei Ordinatione perpetua necesse fuit, est, & erit, ut in Presbyterio quispiam & loco & dignitate primus actioni gubernandæ præsit, cum eo quod ipsi divinitus attributum est jure. Accidentale autem fuit, quod Presbyteri in hac προεδρία alii alii per vices initio succedebant; qui προεδρίας modus paulatim postea visus est mutandus, ut unus quispiam judicio cæterorum compresbyterorum delectus, Presbyterio πρόεδρος esset, & permaneret.* It will be worth our while truly to state the Question of Church Government between the *Church* of *England*, and that of *Geneva* in the time of Queen *Elizabeth*, and thereby we shall see how small the difference was between them. That the Churches in the Primitive times, did take in the Christians in whole Cities, and adjoining Territories, is acknowledged on both sides; *Calvin* and *Beza* being both expres in it, and the Constitution of the Church of *Geneva* speaks as much. *Uniculque civitati* (saith *Calvin*) *erat attributa certa regio, quæ Presbyteros inde sumeret, & velut corpori Ecclesiæ illi ut accenserentur. In oppido cujusque Diœceseos* (saith *Beza*) *præcipuo primus Presbyter, &c. in quotidiana communi jurisdictione præerat cæteris tum urbanis, tum aliis ejus regionis cum*

De Ministr. gradibus, cap. 23. p. 153.

Instit. l. 4. c. 4. s. 2.

De Ministr. grad. cap. 24. p. 167.

cum presbyteris, i. e. *toti Diœcesi*. That the Government of the City did take in the City and Territories, is likewise acknowledged by them. That for more convenient order, there was one to preside over the Ecclesiastical Senate, is confessed as essential by *Beza*; and *Calvin* acknowledgeth that even in Apostolical times, *non eam fuisse tunc æqualitatem inter Ecclesiæ ministros, quin unus aliquis authoritate & consilio præesset.* In Tit. 1. 5. There was no such equality among the Ministers of the Church, but that some one was over the rest in Authority and Counsel. Wherein then lay the difference? For we have already seen that our Great Divines then, did not look upon their form of Government as necessary, but only lawful; and *Calvin* and *Beza* would not be thought to prescribe their form to other Churches. All the difference then was, not Whether their form of Government was founded on Divine Right? not Whether Episcopacy in the Church was lawful or no? not Whether Diocesan Churches were unlawful? or Whether every Congregation should have an Ecclesiastical Senate? But Whether it were more agreeable to the Primitive form, that the President of the Ecclesiastical Senate should have only an order among, or a degree above the Senate its self? But chiefly it was, Whether in the present state of the *Reformed Churches* it were more convenient wholly to lay aside the form of Government by *Bishops*, which had been so much abused in the *Roman Church:* and to reduce all Ministers of the Gospel to an equality with only a Presidency of order, thereby to free *themselves* from the imputation of Ambition, and to prevent it in *others*; or else it were more prudent only to retrench the abuses of *Episcopacy* under the *Papacy*, and to reduce it to that form wherein it was practiced in the *Church*, before the *tyranny* and *usurpation* of the *Roman Bishop* had ingrossed all *Ecclesiastical power* into his own hands? The former part was embraced generally by the *Reformed Churches*, the latter by our *Church of England*; so that the Question was not about divine Right, but about a matter of Prudence; not what form was setled by a Law of Christ, but what form was suitable to the present state of the Churches of the Reformation. Therefore we see none of the forraign Divines did charge

the

the Government of this Church with *unlawfulneſs* but *inconveniency*, as it was a ſtep to pride and ambition, and an occaſion whereby men might do the Church injury by the exceſs of their power, if they were not men of an excellent temper and moderation. Thence that prediction of *Padre Paulo*, that the Church of *England* would then find the inconvenience of Epiſcopacy, when a high-ſpirited Biſhop ſhould once come to rule that Church; and ſo *Beza* when he had freed the Biſhops of the Reformation from that imputation of *Lording it over their Brethren*, which he had charged the Roman Biſhops with, yet he adds, that he would beg them rather to lay down their power, than to tranſmit that power to thoſe after them, *hanc ipſorum moderationem & æquitatem minime forſan ſequuturis*, Who it may be were not like to ſucceed them in their meekneſs and moderation. What juſt reaſon there was for ſuch fears, or may be ſtill, let thoſe judge who are fitteſt to do it; thoſe I mean who have the power not only to redreſs, but prevent abuſes incroaching by an irregular power. It was not then any unlawfulneſs in the Government of Epiſcopacy its ſelf, but its lyableneſs to abuſes, which made the Reformed Churches reduce Modern Epiſcopacy into a meer Preſidency of Order, which was not ſo liable to the ſame inconveniencies. A clear evidence that they judged not the Government unlawful, is, their often profeſſion of a ready and chearful obedience to Biſhops, if they would embrace the Goſpel, and ſtand up in defence of the true Doctrine. For which we have the teſtimony of *George* Prince of *Anhalt*, in the Preface to his Sermon about Falſe Prophets, ſpeaking of Biſhops and Archbiſhops: "Utinam ſicut "nomina gerunt & titulos, ita ſe reipſa præſtarent Epiſcopos "Eccleſiæ. Utinam Evangelio docerent conſona, ipſoque Ec"cleſias fideliter regerent. O quam libenter, quantaque cum "cordis lætitia, pro Epiſcopis ipſos habere, revereri, morem "gerere, debitam juriſdictionem, & ordinationem eis tribue"re, eaque ſine recuſatione frui vellemus: id quod nos ſem"per, & *D. Lutherus* etiam ſæpiſſime tam ore quam ſcriptis, "imo & in concione publica in Cathedrali Templo Marsbur"genſi conteſtati promiſimus. He profeſſeth it to be both his own judgment and *Luthers*, that if Biſhops would but teach and rule their Churches according to the Word of God, they would

De Miſſr grad. p. 158

Super Mat. tit. de Ordinat.

would obey them with all chearfulneſs and joy of heart. To the ſame purpoſe *Melanthon* writing to *Camerarius*; "By what "Right or Law may we diſſolve the Eccleſiaſtical Polity, if "the Biſhops will grant us that which in reaſon they ought to "grant? and though it were lawful for us ſo to do, yet ſure-"ly it were not expedient. *Luther* was ever of this opinion. The ſame is profeſſed by *Calvin*, and that according to his temper in a higher manner; "Verum autem nobis ſi contri-"buant Hierarchiam in qua emineant Epiſcopi, ut Chriſto ſub-"eſſe non recuſent, ut ab illo tanquam ab unico capite pen-"deant, & ad ipſum referantur, in qua ſi fraternam charita-"tem inter ſe colant & non alio modo quam ejus veritate colli-"gati, tum vero nullo non Anathemate dignos fatemur, ſi qui "erunt, qui eam non reverenter & ſumma cum obedientia "obſervent. If Biſhops would but ſubmit themſelves to Chriſt, thoſe that would not then ſubmit themſelves to them, he thinks there is no *Anathema* of which they are not worthy. *Jacobus Heerbrandus*, Divinity-Profeſſor at *Tubinge*, profeſſeth it to be the moſt ſound conſtitution of Church-Government, where-in every Dioceſs had its Biſhops, and every Province an Arch-biſhop. *Saluberrimum eſſet ſi ſingulæ Provinciæ ſuos Epiſcopos, & Epiſcopi ſuos Archiepiſcopos haberent.* *Hemingius* acknowledg-eth a diſparity among Church-Officers, and accounts it a piece of barbariſm to remove it. "Quanquam enim poteſtas omnium "eadem eſt miniſtrorum quantum ad ſpiritualem jurisdictio-"nem attinet; tamen diſpares dignitatis ordines & gradus "ſunt; idq; partim jure divino, partim Eccleſiæ approbatione. But he qualifies what he had ſaid of *Jus divinum* by his fol-lowing words; "Eccleſia cui Dominus poteſtatem dedit in edi-"ficationem, ordinem miniſtrorum inſtituit pro commodo ſuo, "ut omnia ſint rite ordinata ad inſtaurationem corporis Chri-"ſti. Hinc Eccleſia purior ſecuta tempora Apoſtolorum, fe-"cit alios Patriarchas, alios Chorepiſcopos, alios Paſtores & "Catechetas; *and afterwards*, Inter miniſtros agnoſcit enim "Eccleſia noſtra gradus dignitatis, & ordines pro diverſitate "donorum, laborum magnitudine, ac vocationum diverſitate, "ac judicat Barbaricum eſſe de Eccleſia hinc ordinem tollere "velle. Three things he placeth a ſuperiority of dignity in; *Excellency of Gifts, Greatneſs of Labours, Difference of Calling.*

Ep. ad Camer. A.D. 1530.

Tom. 7. ad Sadoletum. & de neceſſ. Reform. Eccl. p. 69.

In loc. com. de Eccl. p. 727.

Opuſcul. Theol. claſſ. 3. cap. 10. p. 439.

And

And the truth is, the two former ought to be the measure of dignity in the Church, the Eminence of mens abilities, and the abundance of their labours above others. The necessity of a *Superintendent*, or an *Inspector* over other Ministers, is largely discovered by *Zepper de Politia Ecclesiastica*, who likewise agrees with the former Divines in his judgment of the first institution of Episcopacy. "Eadem officia in primitiva "etiam Ecclesia, post Apostolorum tempora in usu mansse-"runt, paucis quibusdam gradibus, pro illorum temporum "necessitate additis, qui tamen nihil fere à mente D. Pauli "& verbi divini alienum habuerunt. Whereby he both asserts it to be in the power of the Church to add distinct degrees from what were in the Primitive Church; and that such so added, are no ways repugnant to the Word of God. According to this judgment of their Divines is the practice of the Foreign Protestant Churches; in *Sweden* there is one *Archbishop*, and seven *Bishops*: and so in *Denmark*, though not with so great authority in *Holstein*, *Pomeren*, *Meeklenburgh*, *Brunswick*, *Luneburgh*, *Bremen*, *Oldenburgh*, *East-Friezeland*, *Hessen*, *Saxony*, and all the upper part of *Germany*, and the Protestant Imperial Cities, Church-Government is in the hands of *Superintendents*. In the *Palatinate* they had *Inspectores* and *Præpositi*, over which was the Ecclesiastical Consistory of three Clergy-men, and three Counsellors of State with their President: and so they have their *Præpositos* in *Wetteraw*, *Hessen* and *Anhalt*. In *Transylvania*, *Polonia*, and *Bohemia*, they have their *Seniores* enjoying the same power with ancient Bishops. So that we see all these *Reformed Churches* and *Divines*, although they acknowledge no such thing as a Divine right of *Episcopacy*, but stiffely maintain *Jerome's* opinion of the primitive equality of Gospel Ministers; yet they are so far from accounting it unlawful to have some Church-Officers acting in a higher degree above others, that they themselves embrace it under different names and titles, in order to the Peace, Unity and Government of their several Churches; Whereby they give us an evident demonstration that they looked not upon the Primitive Form to be immutable, but that the orders and degrees of Ministers is only a Prudential thing, and left in the liberty of every particular Church, to

Lib 2 *c.* 10

De Polit. Eccles. l. 1. *cap.* 8.

See Mr. *Durees* the Government of Protestant Churches beyond the Seas.

be determined according to their tendency to preserve the peace and settlement of a Church.

§. 7. We come in the last place to those who hold Episcopacy to be the Primitive Form, yet not unalterably binding all Churches and places, but that those Churches who are without it, are truly constituted Churches; and Ministers are lawfully ordained by meer Presbyters. This is largely proved by Mr. *Francis Mason*, in his excellent *Defence of the Ordination of Ministers beyond the Seas:* to which I refer the Reader. Only I shall shew out of him how the State of the Question about the *Jus divinum* of *Episcopacy* is formed: "First, If by *jure divino* "you mean that which is according to Scripture, then the "preheminence of Bishops is *jure divino*; for it hath been al- "ready proved to be according to Scripture. Secondly, If "by *jure divino* you mean the Ordinance of God, in this sense "also it may be said to be *jure divino*. For it is an Ordinance "of the Apostles, whereunto they were directed by God's "Spirit, even by the Spirit of Prophecy, and consequently the "Ordinance of God. But if by *jure divino* you understand a "Law and Commandment of God, binding all Christian "Churches universally, perpetually, unchangeably, and with "such absolute necessity, that no other form of Regiment "may in any case be admitted; in this sense neither may we "grant it, nor yet can you prove it to be *jure divino*."

C main brief treatis, &c. Oxford. 1641. Sect. 18.

Whereby we see this learned and moderate man was far from unchurching all who wanted Bishops; and absolutely declares, that though he look on Episcopacy as an Apostolical Institution, yet that no unalterable divine right is founded thereupon. So before him the both learned and pious Bishop *G. Downam* explains himself concerning the right of *Episcopacy*, in these remarkable words; "Though in respect of the first "Institution, there is small difference between an Apostolical "and Divine Ordinance, because what was ordained by the "Apostles, proceeded from God, (in which sense, and no "other, I do hold the Episcopal Function to be a Divine Or- "dinance, I mean in respect of the first Institution) yet in "respect of perpetuity, difference by some is made between "those things which be *divini*, and those which be *Apostolici* "*juris*, the former in their understanding being perpetually, generally,

Defence of Sermon l. 2. cap. 6. p. 139.

"generally, and immutably neceſſary: the latter not ſo. So that "the meaning of my defence plainly is, that the Epiſcopal Go- "vernment hath this commendation above other forms of *Eccle-* "*ſiastical Government*, that in reſpect of the firſt Inſtitution, it "is a Divine Ordinance; but that it ſhould be ſuch a Divine "Ordinance as ſhould be generally, perpetually, immutably, "neceſſarily obſerved, ſo as no other form of Government may "in no caſe be admitted, I did not take upon me to maintain: With more to the ſame purpoſe in ſeveral places of that de- *L. 4. ch. 7.* fence. And from hence it is acknowledged by the ſtouteſt *p. 146.* Champions for Epiſcopacy, before theſe late unhappy diviſſions, that Ordination performed by Presbyters in caſes of neceſſity is valid, which I have already ſhewed doth evidently prove that Epiſcopal Government is not founded upon any unalterable Divine Right: For which purpoſe many evidences are produced from *Dr. Field of the Church, lib. 3. c. 39. B. Downam, l. 3. c. 4. B. Jewel, P. 2. p. 131. Saravia, cap. 2. p. 10, 11. B. Alley, Prælect. 3. & 6. B. Pilkinton, B. Bridges, B. Bilſon, D. Nowel, B. Davenant, B. Prideaux, B. Andrews,* and others: by our Reverend and learned Mr. *Baxter* in his From *p.* 53. *Chriſtian Concord*, to whom may be added the late moſt Reve- to *p.* 63. rend and eminent the Biſhop of *Durham, Apolog. Cathol. p. 1. l. 1. c. 21.* and the *Primat of Armagh*, whoſe judgment is well known as to the point of Ordination. So much may ſuffice to ſhew that both thoſe who hold an equality among Miniſters to be the Apoſtolical form, and thoſe that do hold Epiſcopacy to have been it, do yet both of them agree at laſt in this, that no one form is ſetled by an unalterable Law of Chriſt, nor conſequently founded upon Divine Right. For the former, notwithſtanding their opinion of the Primitive Form, do hold Epiſcopacy lawful; and the latter, who hold Epiſcopacy to have been the Primitive Form, do not hold it perpetually and immutably neceſſary, but that Presbyters (where Biſhops cannot be had) may lawfully diſcharge the Offices belonging to Biſhops; both which Conceſſions do neceſſarily deſtroy the perpetual Divine Right of that Form of Government they aſſert: Which is the thing I have been ſo long in proving, and I hope made it evident to any unprejudicated mind.

Having laid down this now as a ſure foundation for peace and union, it were a very eaſie matter to improve it, in order

to an Accommodation of our present differences about Church-Government. I shall only lay down three general Principles deducible from hence, and leave the whole to the mature consideration of the Lovers of Truth and Peace. The first Principle is, *That Prudence must be used in setling the Government of the Church.* This hath been the whole design of this Treatise, to prove that the Form of Church-Government is a meer matter of prudence, regulated by the Word of God. But I need not insist on the Arguments already brought to prove it: for as far as I can find, although the several parties in their contentions with one another plead for Divine Right, yet when any one of them comes to settle their own particular Form, they are fain to call in the help of Prudence, even in things supposed by the several parties, as necessary to the establishment of their own Form. The *Congregational* men may despair of ever finding *Elective Synods*, *explicite Church-Covenant*, or *positive signs of Grace* in admission of Church-Members in any Law of Christ: nay, they will not generally plead for any more for them, than general rules of Scriptures, fine Similitudes, and Analogies, and evidence of natural reason; and what are all these at last to an express Law of Christ, without which it was pretended nothing was to be done in the Church of God? The *Presbyterians* seem more generally to own the use of General Rules, and the Light of Nature, in order to the Form of Church-Government, as in the *Subordination of Courts*, *Classical Assemblies*, and the more moderate sort, as to *Lay-Elders*. The *Episcopal* men will hardly find any evidence in Scripture, or the practice of the Apostles, for *Churches consisting of many fixed Congregations for Worship, under the charge of one Person*, not in the Primitive Church, for *the Ordination of a Bishop without the preceding election of the Clergy, and at least consent and approbation of the People*; and neither in Scripture, nor Antiquity, the least footstep of a *delegation of Church-power*. So that upon the matter at last, all of them make use of those things in Church Government, which have no other foundation but the Principles of *Humane Prudence*, guided by the Scriptures; and it were well if that were observed still. The second Principle is, *That Form of Government is the best according to Principles of Christian*

Christian Prudence, which comes the nearest to Apostolical practice, and tends most to the advancing the peace and unity of the Church of God. What that Form is, I presume not to define and determine, but leave it to be gather'd from the evidence of Scripture and Antiquity, as to the Primitive practice, and from the nature, state and condition of that Church wherein it is to be setled, as to its tendency to the advancement of peace and unity in it. In order to the finding out of which, that Proposal of his late most excellent Majesty of glorious memory, is most highly just and reasonable. *His Majesty thinketh it well worthy the studies and endeavours of Divines of both Opinions, laying aside emulation and private interests, to reduce Episcopacy and Presbytery into such a well-proportion'd Form of Superiority and Subordination, as may best resemble the Apostolical and Primitive times, so far forth as the different condition of the times, and the exigences of all considerable circumstances will admit.* His Majesties second Paper to the Ministers at *Newport. ad fin.*

If this Proposal be embraced, as there is no reason why it should not; then, all such things must be retrieved which were unquestionably of the Primitive practice, but have been grown out of use through the length and corruption of times. Such are the *restoring of the Presbyteries of the several Churches*, as the *Senate* to the Bishop, with whose counsel and advice all things were done in the Primitive Church. *The contracting of Dioceses into such a compass as may be fitted for the personal inspection of the Bishop, and care of himself and the Senate; the placing of Bishops in all great Towns of resort*, especially *County Towns*; that according to the ancient course of the Church, its Government may be proportioned to the Civil Government. *The constant preaching of the Bishop in some Churches of his charge, and residence in his Diocess; The solemnity of Ordinations, with the consent of the People; The observing Provincial Synods twice every year. The employing of none in Judging Church-Matters but the Clergy.* These are things unquestionably of the Primitive practice, and no arguments can be drawn from the present state of things, why they are not as much, if not more necessary than ever. And therefore all who appeal to the practice of the Primitive Church, must condemn themselves, if they justifie the neglect of them. But Bishop *Ushers* reduction of Episcopacy, &c.

But I only touch at these things, my design being only to lay a foundation for a happy union. *Lastly, What Form of Government is determined by lawful Authority in the Church of God, ought so far to be submitted to, as it contains nothing repugnant to the Word of God.* So that let mens judgments be what they will concerning the Primitive Form, seeing it hath been proved, that that Form doth not bind unalterably and necessarily, it remains that the determining of the Form of Government is a matter of liberty in the Church; and what is so, may be determined by lawful Authority; and what is so determined by that Authority, doth bind men to obedience, as hath been proved by the 5. *Hypothesis*, in the entrance of this Treatise. I conclude all with this earnest desire, *That the Wise and Gracious God would send us one heart and one way, that he would be the Composer of our differences, and the Repairer of our breaches, that of our strange divisions and unchristian animosities, while we pretend to serve the Prince of Peace, we may at last see*

Part. 1. ch. 2. s. 12.

THE END,

Glory to God on high, on earth peace, good will towards men, Luke 2. 14.

A Discourse concerning the Power of EXCOMMUNICATION in a Christian Church.

The Name of Power in a Church explained. The mistake of which, the Foundation of Erastianism. The Notion of the Church opened, as it is the subject of Power. The Church proved to be a Society distinct from the Commonwealth; by reason of its different Nature, and Divine Institution; distinct Officers, different Rights, and Ends, and peculiar Offences. The Power of the Church doth not arise from meer confederation. The Churches Power founded on the nature of the Christian Society, and not on particular Precepts. The Power of Church-Officers not meerly Doctrinal, proved by several Arguments. Church-Power as to particular persons antecedent to confederation. The Power of the Keys relates to Baptism. The Churches Power extends to Excommunication: what it is, and what grounds it had under the Law. No exclusion from Temple-worship among the Jews. Excommunication necessary in a Christian Church, because of the conditions supposed to communion in it. Of the Incestuous person, and the Grounds of the Apostolical censure. Objections against Excommunication answered. The fundamental Rights of the Church continue after its being incorporated into the civil State. The Magistrates Power, as to Excommunication, cleared.

IT is a matter of daily observation and experience in the World, how hard it is to keep the *eyes* of the understanding *clear* in its judgement of things, when it is too far engaged in the *dust* of Controversie. It being so very difficult to well *manage* an impetuous *pursuit* after any Opinion; nothing being more common than Append. to c. 8. part 8. § 1.

to ſee men *out-run* their *mark*, and through the *force* of their ſpeed to be carried as far *beyond it*, as others in their Opinion *fall ſhort* of it. There is certainly a kind of *ebriety* of the mind, as well as of the body, which makes it ſo *unſtable* and *pendulous*, that it oft times *reels* from one extream unto the quite contrary. This as it is obvious in moſt eager *controvertiſts* of all Ages, ſo eſpecially in ſuch, who have diſcovered the falſity of an opinion they were once confident of, which they think they can never after run far enough from: So that while they *ſtart* at an *apparition* they ſo much dread, they run into thoſe *untrodden paths*, wherein they *loſe* both themſelves and the *Truth* they ſought for.

§ 2. Thus we find it to be in the preſent *controverſie*, for many out of their juſt *zeal* againſt the *extravagancies* of thoſe who ſcrued up *Church-Power* to ſo high a peg, that it was thought to make perpetual diſcord with the *Commonwealth*, could never think themſelves free from ſo great an inconvenience, till they had *melted down* all *Spiritual Power* into the *Civil State*, and diſſolved the *Church* into the *Commonwealth*. But that the World may ſee I have not been more forward to aſſert the juſt power of the *Magiſtrate* in *Eccleſiaſticals*, as well as *Civils*, than to defend the Fundamental *Rights* of the *Church*, I have taken this opportunity more fully to explain and vindicate that part of the *Churches-Power*, which lies in reference to *Offenders*; It being the main thing ſtruck at by thoſe who are the followers of that noted *Phyſitian*, who handled the Church ſo ill, as to deprive her of her expulſive faculty of *Noxious humours*, and ſo left her under a *Miſerere mei*.

§ 3. I ſhall therefore endeavour to give the *Church* her due, as well as *Caſar* his, by making good this following *Principle* or *Hypotheſis*, upon which the whole hinge of this Controverſie *turns*, viz. *That the power of inflicting cenſure, upon Offenders in a Chriſtian Church, is a fundamental Right, reſulting from the conſtitution of the Church, as a Society by Jeſus Chriſt; and that the ſeat of this Power is in thoſe Officers of the Church, who have derived their power Originally from the Founder of this Society, and act by vertue of the Laws of it.*

§ 4. For the clear *ſtating* of this *Controverſie*, it will be neceſſary

ceſſary to explain, what that *Power* is, which I attribute to the *Church*, and in what notion the *Church* is to be conſidered as it *exerciſeth* this Power. *Firſt*, concerning the proper notion of *Power*, by it I cannot ſee any thing elſe to be underſtood, than a *right of governing or ordering things which belong to a Society*. And ſo *Power* implies only a *moral faculty* in the perſon enjoyning it, to take care *ne quid civitas detrimenti capiat*, whereby it is evident that every well conſtituted Society muſt ſuppoſe a Power within its ſelf of ordering things belonging to its welfare, or elſe it were impoſſible, either the *being*, or the *rights* and *priviledges* of a *Society* could be long preſerved. *Power* then in its general and abſtracted notion, doth not neceſſarily import either *meer Authority*, or *proper Coaction*; for theſe, to any impartial judgment, will appear to be rather the ſeveral *modes* whereby power is exerciſed, than any proper ingredients of the *ſpecifick Nature* of it: which in general, imports no more then *a right to govern a conſtituted Society*; but how that right ſhall be exerciſed, muſt be reſolved not from the notion of Power, but from the *nature* and *conſtitution* of that particular Society in which it is *lodged* and *inherent*.

It appears then from hence to be a great *miſtake* and abuſe of well-natured Readers, when all power is neceſſarily reſtrained, either to that which is *properly Coercive*, or to *that* which is *meerly Arbitrary*, and only from conſent. The Original of which miſtake is, the ſtating the Notion of *Power* from the uſe of the *Word*, either in ancient *Roman Authors*, or elſe in the *Civil Laws*, both which are freely acknowledged to be ſtrangers to the exerciſe of any other *Power*, than that which is *meerly authoritative* and *perſwaſive*, or that which is *Coactive* and *Penal*. The ground of which is, becauſe they were ignorant of any other way of *conveyance* of *Power*, beſides *external force*, and *Arbitrary conſent*; the one in thoſe called *Legal Societies*, or *Civitates*, the other *Collegia* and *Hæteriæ*. But ſo as that do acknowledge that *God* hath a *right* of *commanding* men to what Duty he pleaſe himſelf, and *appointing* a *Society* upon what terms beſt pleaſe him, and giving a *Power* to *particular perſons* to *govern* that *Society*, in what *way* ſhall tend moſt *to advance* the Ho- § 5.

nour of such a *Society*, may easily be *made appear*, that there is a kind of *Power* neither properly *Coactive*, nor meerly *Arbitrary*, viz. such a one as *immediately results* from Divine *Institution*, and doth suppose *consent* to submit to it as a *necessary Duty* in all the *members* of this Society.

§ 6. This *Power*, it is evident, is not *meerly Arbitrary* either in the *Governours* or *Members*: for the *Governours* derive their *Power* or right of Governing from the *institution of Christ*, and are to be *regulated* by his *Laws* in the execution of it; and the *Members*, though their *consent* be *necessarily supposed*, yet that *consent* is a *Duty* in them, and that duty doth imply their *submission* to the *Rulers* of this Society: neither can this power be called *Coactive*, in the sense it is commonly taken: for *coactive power*, and *external force* are necessary *correlates* to each other, but we suppose no such thing as a power of outward force to be given to the *Church* as such, for that properly belongs to a *Commonwealth*. But the power which I suppose to be lodged in the *Church*, is such a power as *depends* upon a *Law* of a *Superiour*, *giving right to Govern*, *to particular persons over such a Society*, *and making it the Duty of all Members of it to submit unto it*, *upon no other penalties*, *then the exclusion of them from the priviledges*, *which that Society enjoyes*. So that supposing such a *Society* as the *Church* is, to be of Divine Institution, and that *Christ* hath appointed *Officers* to rule it, it necessarily follows, that those *Officers* must derive their *power*, i. e. their right of Governing this Society, not meerly from *consent* and *confederation* of parties, but from that Divine Institution, on which the Society depends. The want of understanding the right notion of power in the sense here set down, is certainly the πρῶτον ψεῦδος of *Erastianism*, and that which hath given occasion to so many to question any such thing as *Power* in the *Church*, especially, when the more *zealous* then *judicious* defenders of it have rather chosen to hang it upon some *doubtful places* of *Scripture*, then on the very *Nature* and *Constitution* of the *Christian Church*, as a Society instituted by *Jesus Christ*.

§ 7. This being then the nature of *power* in general, it is I suppose clear, that an outward coactive *force* is not *necessary* in order to it, for if some may have a *Right* to *Govern* and other

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may be obliged to obedience to thoſe *perſons antecedently*, to any Civil Conſtitution; then ſuch perſons have a *juſt power* to *inflict cenſures* upon ſuch as tranſgreſs the Rules of the Society, without any outward force. It is here very impertinent to diſpute, what *effects* ſuch *cenſures* can have upon wilful perſons without a *Coactive power*; If I can prove, that there is a right to inflict them in *Church-Officers*, and an *Obligation* to *ſubmit* to them in all Offenders; I am not to trouble my ſelf with the event of ſuch things as depend upon *Divine Inſtitutions*. I know it is the great *Objection* of the followers of *Eraſtus*, that *Church-cenſures* are inflicted upon *perſons* unwilling to receive them, and therefore muſt imply *external* and *coactive force*, which is repugnant to the nature of a *Church*. But this admits (according to the Principles here eſtabliſhed) of a very eaſie ſolution: for I deny not that *Church Power* goes upon *conſent*, but then it's very plain here was an *antecedent conſent* to *ſubmit* to *cenſures* in the very *entrance* into this *Society*, which is ſufficient to denominate it a *voluntary act* of the perſons undergoing it; and my reaſon is this, every perſon entring into a Society, parts with his own *freedom* and *liberty*, as to *matters* concerning the *governing* of it, and *profeſſeth ſubmiſſion* to the *Rules* and *Orders* of it: now a man having *parted* with his freedom already, cannot *reaſſume it* when he pleaſe, for then, he is under an *Obligation* to *ſtand* to the *Covenants* made at his *entrance*; and conſequently his *undergoing* what ſhall be laid upon him by the *Laws* of this *Society*, muſt be ſuppoſed to be *voluntary*, as depending upon his *conſent* at firſt entrance, which in all Societies muſt be ſuppoſed to hold ſtill, elſe there would follow nothing but *confuſion* in all Societies in the World, if every man were at liberty to *break* his *Covenants* when any thing comes to lie upon him according to the Rules of the Society, which he out of ſome private *deſign* would be *unwilling* to *undergo*. Thus much may ſerve to ſettle aright the *Notion* of *Power*; the want of underſtanding which hath cauſed all the confuſion of this Controverſie.

§. 8. The next thing is, In what Notion we are to conſider the *Church*, which is made the *ſubject* of this *Power*. As to which we are to conſider this *Power*; either as to its *right*, or *in*

actu

actu primo; or as to its *exerciſe*, or *in actu ſecundo*: Now if we take this *Power* as to the *fundamental Right* of it; then it belongs to the *Univerſal Church* of *Chriſt*, which *ſubſiſts* as a viſible *Society*, by vertue of that *Law* of *Chriſt*, which makes an *owning* the *Profeſſion* of *Chriſtianity* the *Duty* of all *Church-members*. If we conſider this *Power* in the *exerciſe* of it, then (it being impoſſible that the Univerſal Church ſhould perform the *executive* part of this power relating to offences) I ſuppoſe it *lodged* in that *particular Society* of Chriſtians, which are united together in one *body* in the *community* of the ſame *Government*; but yet, ſo, as that the *adminiſtration* of this *Power*, doth not belong to the body of the Society conſidered *complexly*, but to thoſe *Officers* in it, whoſe care and charge it is, to have a *peculiar overſight* and *inſpection* over the Church, and to *redreſs* all *diſorders* in it. Thus the *viſive faculty* is fundamentally *lodged* in the *Soul*, yet all *exterior acts of ſight* are performed by the *Eyes*, which are the ἐπισκοποι *Overſeers* of the *Body*, as the other are of the *Church*, ſo that the *exerciſe* and *adminiſtration* of this *power*, belongs to the ſpecial *Officers* and *Governors* of the Church; none elſe being capable of exerciſing this *Power* of the Church as ſuch, but they on whom it is *ſetled* by the *Founder* of the Church it ſelf.

§ 9. This *Society* of the *Church* may be again conſidered, either as *ſubſiſting* without any *influence* from the *Civil Power*, or as it is *owned by*, and *incorporated into* a *Chriſtian State*. I therefore demand, Whether it be abſolutely neceſſary for the *ſubſiſtence* of this *Chriſtian Society*, to be upheld by the *Civil Power*, or *no*? And certainly none who conſider the *firſt* and *pureſt Ages* of the *Chriſtian Church*, can give any *entertainment* to the *Affirmative*, becauſe then the *Church* flouriſhed in its greateſt *purity*, not only when not *upheld*, but when moſt violently *oppoſed* by the *Civil power*; If ſo then its being *united* with the *Civil State* is only accidental as to the *conſtitution* of a *Church*; and if this be only accidental, then it muſt be ſuppoſed *furniſhed* with every thing *requiſite* to its well ordering accidentally to any ſuch *Union*, and *abſtractly* from it. For can we imagine our *Bleſſed Saviour* ſhould *inſtitute* a *Society*, and leave it *deſtitute* of *means* to *uphold* its *ſelf*, unleſs

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it fell into the *hands* of the *Civil Power?* or that he left every thing tending thereto, meerly to *Prudence*, and the *Arbitrary Conſtitutions* of the perſons joyning together in this *Society?* Did our *Saviour* take care there ſhould be a *Society*, and not provide for *means* to *uphold* it? Nay, it is evident, he not only *appointed* a *Society*, but *Officers* to rule it. Had thoſe *Officers* then a *Right* to *Govern* it or *no*, by vertue of *Chriſts inſtitution* of them? if not, they were rather *Bibuli* than *Cæſares*, *Cyphers* than *Conſuls* in the *Church of God*. If they had a *power* to *Govern*, doth not that neceſſarily imply a *Right* to inflict *Cenſures* on *Offenders*, unleſs we will ſuppoſe that either there can be no *Offenders* in a *Chriſtian Church*, or that thoſe *Offenders* do not *violate* the *Laws* of the Society, or there be ſome *Prohibition* for them to exerciſe their power over them (which is to give power with one hand, and take it away with the other) or that this power cannot *extend* ſo far as to *exclude* any from the *Priviledges* of the Church: which is the thing to be diſcuſſed.

Having thus cleared our way, I now come to the *Reſolution* of the *Queſtion* it ſelf, in order to which I ſhall endeavour to *demonſtrate*, with what *evidence* the *Subject* is *capable* of theſe following things. First, *That the Church is peculiar Society in its own Nature, diſtinct from the Commonwealth.* Secondly, *That the power of the Church over its Members doth not ariſe from meer confederation or conſent of Parties.* Thirdly, *That this Power of the Church doth extend to the Excluſion of Offenders from the Priviledges of it.* Fourthly, *That the Fundamental Rights of the Church do not eſcheat to the Commonwealth upon their being* united *in a Chriſtian State.* If theſe *Principles* be eſtabliſhed, the *Churches Power* will ſtand upon them, as on a *firm* and *unmoveable Baſis.* 10.

I begin with the *firſt*. *That the Church is a peculiar Society in its own Nature*, diſtinct *from the Commonwealth*, which I prove by theſe Arguments. 11.

1. Thoſe Societies, which are *capable* of *ſubſiſting apart* from *each other*, are *really*, and in their own *Nature* diſtinct from one another: but ſo it is with the *Church* and *Commonwealth*. For there can be no greater Evidence of a *Real* Diſtinction than *Mutual Separation*; and I think the proving

proving the *poſſibility* of the *Souls exiſting*, *ſeparate* from the *body*, is one of the ſtrongeſt *Arguments* to prove it to be a *ſubſtance real'y diſtinct* from the *body*, to which it is united; although we are often fain to go the other way to work, and to prove *poſſibility* of *ſeparation* from other Arguments evincing the Soul to be a *diſtinct ſubſtance*; but the reaſon of that is for want of evidence as to the *ſtate* of *ſeparate Souls*, and their *viſible exiſtence*, which is *repugnant* to the *immateriality* of their *natures*. But now, as to the matter in hand, we have all *evidence* deſirable; for we are not put to prove *poſſibility* of *ſeparation*, meerly from the *different conſtitution* of the things united, but we have evidence to Senſe of it, that the *Church* hath *ſubſiſted* when it hath been not only *ſeparated* from, but *perſecuted* by all *Civil Power*. It is with many men as to the Union of *Church* and *State*, as it is with others, as to the Union of the *Soul* and *Body*: when they obſerve how *cloſe* the *Union* is, and how much the *Soul* makes *uſe* of the *Animal Spirits* in moſt of its *Operations*, and how great a *ſympathy* there is between them, that, like *Hippocrates* his *Twins*, they *laugh* and *weep* together, they are ſhrewdly put to it, how to *fancy* the *Soul* to be any thing elſe then a more *vigorous mode* of *matter*; ſo theſe obſerving how cloſe an *Union* and *Dependence* there is between the *Church* and *State* in a *Chriſtian Commonwealth*, and how much the *Church* is beholding to the *Civil Power* in the *Adminiſtration* of its *functions*, are apt to think that the *Church* is nothing but a *higher mode* of a *Commonwealth*, conſidered as *Chriſtian*. But when it is ſo evident that the *Church* hath, and may *ſubſiſt*, ſuppoſing it abſtracted from all *Civil Power*, it may be a ſufficient *demonſtration* that however *near* they may be when *united*, yet they are *really*, and in their own *nature*, diſtinct from each other. Which was the thing to be proved.

§ 11. 2. Thoſe are diſtinct *Societies*, which have every thing diſtinct in their *nature* from each other, which belong to the *Conſtitution* or *Government* of them; but this is evident, as to the *Church* and *Commonwealth*, which will appear, becauſe their *Charter* is diſtinct, or that which gives them their being as a Society: *Civil Societies* are *founded* upon the *neceſſity* of particular mens *parting* with their peculiar *Rights*, for the *preſervation*

ſervation of themſelves, which was the *impulſive cauſe* of their *entring* into *Societies*, but that which actually ſpeaks them to be a *ſociety* is the *mutual conſent* of the *ſeveral parties* joyning togeather, whereby they make themſelves to be *one Body*; and to have one *common Intereſt*. So *Cicero de Repub.* defines *Populus*, to be *cœtus multitudinis, juris conſenſu & utilitatis communione ſociatus.* There is no doubt, but *Gods* general *providence* is as evidently ſeen in bringing the *World* into *ſocieties*, and making them live under *Government*, as in diſpoſing all particular *events* which happen in thoſe *Societies*; but yet the *way*, which Providence uſeth in the *conſtitution* of theſe *ſocieties*, is by *inclining men* to *conſent* to *aſſociate* for their *mutual benefit* and *advantage*: So that natural *Reaſon* conſulting for the *good* of *mankind*, as to thoſe *Rights* which men enjoy in common with each other, was the main foundation upon which all *civil Societies* were erected. We find no poſitive *Law* enacting the *being* of *Civil Societies*, becauſe Nature its ſelf would prompt men for their own conveniences to enter into them. But the ground and foundation of that Society, which we call a *Church*, is a matter which *natural Reaſon* and *common Notions* can never reach to: and therefore an aſſociating for the preſerving of ſuch, may be a *Philoſophical Society*, but a *Chriſtian* it cannot be: and they that would make a *Chriſtian Church* to be nothing elſe but a *Society* of *Eſſens*, or an *Assembly* of *Pythagoreans*, do either not underſtand, or not conſider whereon this *Chriſtian Society* is founded: for it is evident they look on it as a meerly voluntary thing, that is not at all ſetled by any *Divine poſitive Law*.

Apud. Auguſt. de Civit. de l. 2. c. 21.

§. 13. The truth is, there is no *principle* more conſiſtent with the opinion of thoſe who deny any *Church power* in a *Chriſtian ſtate*, then this is, and it is that, which every one, who will make good his ground muſt be driven to; for it is evident, that in matters meerly voluntary, and depending only on *confederation*, ſuch things being liable to a *Magiſtrates power*, there can be no *plea* from mutual conſent to juſtifie any oppoſition to *ſupream Authority* in a *Commonwealth*. But then, how ſuch perſons can be *Chriſtians*, when the *Magiſtrates* would have them to be otherwiſe, I cannot underſtand; nor how the *primitive Martyrs* were any other then a company of Fools or Mad-

Men, who would hazard their lives, for that which was a meer Arbitrary thing, and which they had no necessary obligation upon them to profess. Mistake me not, I speak not here of meer acts of discipline, but of the duty of outward professing *Christianity*; if this be a duty, then a Christian Society is setled by a *positive Law*, if it be not a duty, then they are fools who suffer for it: So that this Question resolved into its Principles, leads us higher than we think for, and the main thing in debate must be, Whether there be an *obligation* upon *Conscience* for men to Associate in the Profession of *Christianity*, or no? If there be, then the *Church*, which is nothing else but such an *association*, is established upon a *Positive Law of Christ*; if there be not, then those inconveniences follow, which are already mention'd.

S. 14. We are told indeed by the *Leviathan* with confidence enough, that no Precepts of the *Gospel* are *Law*, till *enacted* by *Civil Authority*; but it is little wonder, that he, who thinks an immaterial substance implyes a contradiction, should think as much of calling any thing a *Law*, but what hath a Civil Sanction. But I suppose all those who dare freely own a supream and infinite essence to have been the Creator, and to be the Ruler of the *World*, will acknowledge his Power to oblige *Conscience*, without being beholding to his own creature to *Enact* his *Laws*, that men might be bound to obey them. Was the great God fain to be beholding to the *Civil Authority* he had over the *Jewish Common-wealth* (their Government being a Θεοκρατία) to make his *Laws* Obligatory to the *Consciences* of the *Jews*? What, had not they their Beings from God? and can there be any greater ground of obligation to obedience, than from thence? Whence comes *Civil Power* to have any Right to *oblige* Men more, than *God*, considered as *Governor* of the *World*, can have? Can there be indeed no other *Laws* according to the *Leviathans Hypothesis*, but only the *Law* of *Nature* and *Civil Laws*? But I pray whence comes the obligation to either of these, that these are not as Arbitrary as all other Agreements are? And is it not as strong a dictate of Nature as any can be (supposing that there is a *God*) that a creature which receives its being from another, should be bound to obey him, not only in the resultancies of his own Nature, but with the

the Arbitrary constitutions of his Will: Was *Adam* bound to obey *God* or no, as to that positive precept of eating the Forbidden fruit, if no *Civil Sanction* had been added to that *Law*? The truth is, such *Hypotheses* as these are, when they are followed close home, will be found to Kennel in that black Den, from whence they are loath to be thought to have proceeded.

§. 15. And now, supposing that every full Declaration of the will of *Christ*, as to any positive Institution, hath the force and power of a Law upon the consciences of all, to whom it is sufficiently proposed: I proceed to make appear, that such a divine positive Law there is, for the existence of a Church, as a visible body and society in the World: by which I am far from meaning such a conspicuous society, that must continue in a perpetual visibility in the same place; I find not the least intimation of any such thing in *Scripture*; but that there shall alwayes be some where or other, in the World, a *Society owning* and *professing Christianity*, may be easily deduced from thence; and especially on this account, that our *Saviour* hath required this, as one of the conditions in order to eternal felicity, that all those who believe in their hearts, that *Jesus* is the *Christ*, must likewise confess him with their *Mouths* to the World: and therefore, as long as there are Men to believe in *Christ*, there must be Men that will not be *ashamed* to associate, on the account of the *Doctrine* he hath promulged to the World. That one *Phrase* in the *New Testament*, so frequently used by our Blessed Saviour, of *the Kingdom of Heaven* (importing a *Gospel-State*) doth evidently declare a Society, which was constituted by him, on the *principles* of the *Gospel-Covenant*. Wherefore should our *Saviour* call *Disciples*, and make *Apostles*, and send them abroad with full *commission* to gather and initiate *Disciples* by *Baptism*; did he not intend a *visible society* for his *Church*? Had it not been enough for Men to have *cordially believed* the Truth of the *Gospel*, but they must be entred in a *solemn visible way*, and joyn in *participation* of *visible Symbols of Bread and Wine*, but that our *Saviour* required *external profession* and *Society* in the *Gospel* as a necessary *duty*, in order to *obtaining* the *priviledges* conveyed by his *Magna Charta* in the *Gospel*. *I would fain know by what argument we can prove, that any humane Legislator did ever intend a Com-*

monwealth to be governed according to his mode, by which we cannot prove that *Christ by a positive Law, did command such a Society, as should be governed in a visible manner, as other societies are?* Did he not appoint Officers himself in the *Church*, and that of many ranks and degrees? Did he not invest those Officers with authority to rule his *Church?* Is it not laid as a charge on them, *to take heed to that flock, over which God had made them Overseers?* Are there not *Rules* laid down for the peculiar exercise of their *Government* over the *Church* in all the parts of it? Were not these *Officers* admitted into their function by a most solemn visible Rite of Imposition of Hands? And are all these solemn transactions a meer piece of *sacred Pageantry?* And they will appear to be little more, if the *Society* of the *Church* be a meer *Arbitrary* thing, depending only upon consent and confederation, and not subsisting by vertue of any *Charter* from *Christ*, or some *positive Law*, requiring all *Christians* to joyn in *Church society* together.

§. 16. But if now from hence it appears (as certainly it cannot but appear) that this *Society* of the *Church* doth subsist by vertue of a *Divine positive Law*, then it must of necessity be distinct from a *Civil Society*, and that on these *Accounts: First*, because there is an antecedent obligation on Conscience to associate on the account of *Christianity*, whether *Humane Laws prohibit* or *command* it. From whence, of necessity it follows, that the constitution of the *Church* is really different from that of the *Commonwealth*; because whether the *Commonwealth* be for, or against this *Society*, all that own it are bound to profess it openly, and declare themselves Members of it. Whereas, were the *Church* and *Commonwealth* really and formally the same, all obligation to *Church society* would arise meerly from the *Legislative Power* of the *Commonwealth*. But now there being a *Divine Law*, binding in Conscience, whose obligation cannot be superseded by any *Humane Law*, it is plain and evident, where are such vastly different obligations, there are different Powers; and in this sense I know no incongruity, in admitting *imperium in imperio*, if by it we understand no *external coactive power*, but an *internal power laying obligation on Conscience*, distinct from the power lodged in a *Commonwealth* considered as such. An *outward coactive*

coactive power was always disowned by *Christ*, but certainly not an *internal Power* over *Conscience* to oblige all his *Disciples* to what Duties he thought fit.

Secondly, I argue from those Officers, whose rights to govern this Society are founded on that *Charter*, whereby the *Society* it self subsists. Now I would willingly know why, when our *Saviour* disowned all *outward power* in the World, yet he should constitute a *Society*, and appoint Officers in it, did he not intend a peculiar distinct *Society* from the other *Societies* of the World. And therefore the argument frequently used against *Church-power*, because it hath no outward force with it by the constitution of *Christ*, is a strong argument to me of the peculiarity of a *Christian Society* from a *Commonwealth*; because *Christ* so instituted it, as not to have it ruled at first by any outward force or power. When *Christ* saith his *Kingdom was not of this World*; he implies, that he had a *Society* that was governed by his *Laws* in the World, yet distinct from all *mundane Societies*: had not our *Saviour* intended his *Church* to have been a peculiar *Society* distinct from a *Commonwealth*, it is hard to conceive why our *Saviour* should *interdict* the *Apostles* the use of a *civil coactive power*: Or why instead of sending abroad *Apostles* to *preach* the *Gospel*, he did not employ the Governors of Commonwealths to have enforced *Christianity* by *Laws* and *temporal Edicts*, and the several *Magistrates* to have impowered several persons under them to preach the *Gospel* in their several *Territories*? And can any thing be more plain, by our *Saviours* taking a contrary course, than that he intended a *Church Society* to be distinct from *Civil*, and the power belonging to it (as well as the *Officers*) to be of a different nature from that which is setled in a *Commonwealth*. Here suppose, that *Christ* hath by a *positive Law* established the Government of his *Church* upon Officers of his own appointment; which I have largely proved elsewhere, and therefore suppose it now. *Thirdly*, I argue from the peculiar rights belonging to these *Societies*: For if every one born in the *Commonwealth*, have not thereby a right to the priviledges of the *Church*; nor every one by being of the *Church*, any right to the benefits of the *Commonwealth*, it must necessarily follow, that these are distinct from one another. If any one by being

Iren. p. 2. c. 2.

being of the *Common-wealth*, hath right to *Church-priviledges*, then every one born in a *Common-wealth* may challenge a right to the *Lords Supper* without *Baptism*, or open *professing Christianity*, which I cannot think any will be very ready to grant. Now there being by *Divine appointment* the several rights of *Baptism* and the *Lords Supper*, as peculiar Badges of the Church as a visible Society, it is evident, *Christ* did intend it a Society distinct from the Common-wealth.

Fourthly, I argue from the different ends of these Societies. A Common-wealth is constituted for civil ends, and the Church for spiritual: for ends are to be judged by the primary constitution, but now it is plain, the end of civil society is for preservation of mens rights as men (therefore *Magistracy* is called by St. *Peter* ἀνθρωπίνη κτίσις:) but this Christian Society doth not respect men under the connotation of Men, but as *Christians*. The answer given to this is very short and insufficient, when it is said, that every man in a Commonwealth, is to act upon spiritual accounts and ends: For there is a great deal of difference between *Christianities* having an influence upon mens actings in a Commonwealth, and making a society the same with a Commonwealth. To argue therefore from one to another, is a shortness of discourse I cannot but wonder at: unless it could be proved, that *Christianity* aimed at nothing else but regulating Men in the affairs of a Commonwealth, which is a task I suppose will not be undertaken.

Lastly, I argue from the peculiar offences against this Society, which are, or may be distinct from those against a Commonwealth. I deny not, but most times they are the same, but frequently they differ, and when they are the same, yet the consideration of them is different in the Church and Commonwealth, for which I shall suppose the six arguments produced in the last *chapter* of the first part to stand good, which will strongly hold to *excommunication* in the *Christian Church*, though there produced only for the *Jewish*. I would fain know what is to be done in many *Offences*, known to be against the *Laws* of *Christ*, and which tend to the Dishonour of the *Christian Society*, which the Civil and *Municipal Laws*, either do not, or may not take cognizance of? Thus much may serve, as I think to make evident, that the *Church* in its own

Iren. p. 1. c. 8.

nature

nature, is a Pecul ar Society distinct from a Common-wealth, which was the first propolition to be proved.

The *Second* is, *That the power of the Church over its Members in case of offences, doth not arise meerly from confederation and consent, though it doth suppose it.* This Church power may be considered two wayes. Either, *first*, as it implyes the *Right in some of Inflicting Censures.* Or, *secondly*, as it implies in *others, the duty of submitting to censures inflicted*; now as to both these, I shall prove that their original is higher than meer Confederation. § 17.

1. *As to the Right of Inflicting Censures* on these accounts. *First*, What ever Society doth subsist by vertue of a Divine Constitution, doth by vertue thereof derive all power for its preservation, in peace, unity, and purity; but it is plain, that a power of censuring offenders, is necessary for the Churches preservation in peace and purity; and it is already proved, that the Church hath its Charter from *Christ*, and therefore from him it hath a power to inflict Punishments on Offenders, suitable to the Nature of the Society they are of. I am very prone to think, that the ground of all the mistakes on this subject have risen from hence, that some, imprudently enough, have fixt the original of this Power on some ambiguous places of Scripture, which may, and it may be, ought to be taken in a different sense; and their adversaries, finding those places weak and insufficient proofs of such a power, have from thence rejected any such kind of power at all; But certainly, if we should reject every truth that is weakly proved by some who have undertaken it, I know no opinion would bid so fair for acceptance as *Scepticism*, and that in reference to many weighty and important truths; for how weakly have some proved the Existence of a *Deity*, the Immortality of the *Soul*, and the Truth of the *Scriptures*, by such arguments, that if it were enough to overthrow an opinion to be able to answer some *Arguments* brought for it, *Atheism* it self would become plausible. It can be then no evidence, that a thing is not true, because some *Arguments* will not prove it; and truly, as to the matter in hand, I am fully of the opinion of the excellent *H. Grotius*, speaking of *Excommunication* in the *Christian Church*: *Neque ad eam rem peculiare præceptum desideratur, cum* In Luc. 6. 22.

cum Ecclesiæ cœtu à Christo semel constituto, omnia illa imperata censeri debent, sine quibus ejus cœtus puritas retineri non potest. And therefore men spend needless pains to prove an *institution* of this *power* by some positive *Precept*, when *Christs* founding his *Church* as a peculiar *Society*, is sufficient proof he hath endowed it with this fundamental *Right*, without which the *Society* were *arena sine calce*, a company of persons without any common tye of union among them; for if there be any such union, it must depend on some conditions, to be performed by the members of that Society, which how could they require from them, if they have not power to exclude them upon *non performance?*

2. I prove the Divine original of this power from the *special appointment* and *designation* of particular *Officers* by *Jesus Christ*, for the ruling of this *Society*. Now I say, that *Law* which provides there shall be *Officers* to *Govern*, doth give them power to govern, suitably to the nature of their *Society*: Either then you must deny, that *Christ* hath by an *unalterable Institution* appointed a *Gospel Ministry*, or that this *Ministry* hath no Power in the *Church*, or that their Power extends not to *Excommunication*. The first I have already proved, the second follows from their appointment: for by all the titles given to *Church-Officers* in Scripture, it appears they had a power over the *Church*, (as ἐπίσκοποι, πρεσβύτεροι, ἡγούμενοι, ποιμένες) All which as you well know, do import a right to govern the Society over which they are set. And that this power should not extend to a power to exclude convict Offenders, seems very strange, when no other punishment can be more suitable to the nature of the Society than this is; which is a debarring him from the priviledges of that Society, which the offender hath so much dishonoured. Can there be any punishment less imagined towards contumacious offenders than this is, or that carries in it less of outward and coactive force, it implying nothing but what the offender himself freely yielded to at his entrance into this Society.

§. 18. All that I can find replyed by any of the Adversaries of the opinion I here assert, to the argument drawn from the Institution and Titles of the Officers of the Church, is, that all those titles which are given to the Ministers of the Gospel in the

New

New Testament, that do import *Rule* and *Government*, are all to be taken in a *Spiritual sense*, as they are *Christs Ministers* and *Ambassadors* to preach his *Word* and *declare his will* to his Church. So that all power such persons conceive to lye in those Titles, is only *Doctrinal* and *declarative*; but how true that is, let any one judge that considers these things.

1. That there was certainly a power of *Discipline* then in the *Churches constituted* by the *Apostles*, which is most evident not only from the passages relating to Offenders in Saint *Paul's Epistles*, especially to the *Corinthians* and *Thessalonians*, but from the continued Practice of succeeding Ages manifested by *Tertullian*, *Cyprian*, and many others. There being then a power of *Discipline* in *Apostolical Churches*, there was a *necessity* it should be administred by some *Persons* who had the care of those *Churches*; and who were they but the several *Pastors* of them? It being then evident that there was such a Power, doth it not stand to common sense it should be implyed in such *Titles*, which in their Natural Importance do signifie a Right to Govern, as the names of *Pastors* and *Rulers* do?

2. There is a *diversity* in Scripture made between *Pastors* and *Teachers*, *Ephes.* 4. 11. Though this may not (as it doth not) imply a *necessity* of *two distinct Offices* in the *Church*, yet it doth a *different respect* and *connotation* in the same person, and so imports that *Ruling* carries in it somewhat more than meer Teaching, and so the power implyed in *Pastors* to be more than meerly *Doctrinal*, which is all I contend for, *viz.* A right to govern the flock committed to their charge.

3. What possible difference can be assigned between the *Elders that Rule well*, *and those which labour in the Word and Doctrine*, (1 Timothy 5. 17.) if all their *Ruling* were meerly *labouring in the Word and Doctrine?* and all their *Governing* nothing but *Teaching?* I intend not to prove an Office of Rulers distinct from Teachers from hence (which I know neither this place nor any other will do) but that the *formal Conception* of *Ruling*, is different from that of *Teaching*.

4. I argue from the *Analogy* between the Primitive

Churches and the *Synagogues*, that as many of the names were taken from thence where they carried a *power* of *Discipline* with them, so they must do in some *proportion* in the *Church*; or it were not easie understanding them. It is most certain the *Presbyters* of the *Synagogue* had a *power* of *Ruling*, and can you conceive the *Bishops* and *Presbyters* of the Church had none, when the *Societies* were much of the same Constitution, and the *Government* of the one was transcribed from the other, as hath been already largely proved?

5. The *acts* attributed to *Pastor* in *Scripture*, imply a *power* of *Governing*, distinct from meer *Teaching*. such are ποιμαίνειν, used for a *right to Govern*, Matth. 2. 6. Revel. 12. 5. —— 19. 15. which word is attributed to *Pastors of Churches* in reference to their flocks, *Acts*, 20. 28. 1 Pet. 5. 2. and ποιμασία, is applied to Ministers, when they are so frequently called προεστῶτες which notes *præsidentiam cum potestate*; for *Hesychius* renders it by ἡγεμονίαν and the προεδρία at *Athens* had certainly a power of Government in them.

6. The very word κυβερνήσεις, is attributed to those who have *over-sight of Churches*, 1 Cor. 12. 8. by which it is certainly evident, that a power more than *Doctrinal* is understood, as that it could not then be *understood of* a *power meerly civil*. And this I suppose may suffice to *vindicate* this *Argument* from the *Titles of Church-Officers*, in the *New Testament*, that they are not *insignificant things*, but the persons who enjoyed them had a *right to govern* the Society over which the *Holy Ghost* hath made them *Overseers*.

§ 19. 3. I argue that the *Church-Power* ariseth not meerly from *consent*, because the *Church* may *exercise* her *Power* on such, who have not *actually confederated* with her; which is in admitting Members into the Church: For if the *Church-Officers* have power to *judge* whether *persons* are *fit* to be *admitted*, they have *power* to *exclude* from *admission* such whom they judge unfit, and so their *power* is *exercised* on those who are not *confederated*. To this it may be answered *That the consent to be judged*, *gives the Church power over the person suing for admission*. I grant it doth, as to that particular *person*; but the *Right* in general of *judging concerning Admission*, doth

argue

argue an *antecedent* power to an *actual confederation*. For I will suppose that *Christ* should now appoint some *Officers* to found a *Church*, and gather a *Society* of *Christians* together, where there hath been none before: I now ask Whether these "Offi-"cers have power to admit any into the Church or no? This "I suppose cannot be denied, for to what end else were they ap-"pointed? If it be granted they have power to admit persons, "and thereby make a Church, then they had power antecedent-"ly to any confederation; for the Confederation was subse-"quent to their Admission: and therefore they who had "power to admit, could not derive their power from Confe-"deration. This Argument, to me, puts the case out of dispute, "that all Church power cannot arise from meer Confederation.

And that which further evidenceth that the *Power* of the *Church* doth not arise from meer *consent*, is that *Deed* of *Gift* whereby our *Blessed Saviour* did confer the *Power* of the *Keyes* on the *Apostle Peter*, as the *representative* in that action of the whole *Colledge* of the *Apostles* and *Governours* of the *Church*, of which power all the *Apostles* were actually *infeoffed*, John 20. 23. By which *Power* of the *Keyes* is certainly meant some *Administration* in the *Church*, which doth respect it as a visible *Society*, in which Sense the *Church* is so frequently called, as in that place, *the Kingdom of Heaven*; Mat. 16. 19. and in all probability the *Administration* intended here by the *Power* of the *Keyes*, is that we are now discoursing of, *viz.* the *Power* of *Admission* into the *Church* of *Christ*, in order to the pardon of the sins of all *penitent Believers*, and the *shutting out* of such who were manifestly *unworthy* of so holy a *Communion*. So that the *power* of the *Keyes* doth not *primarily* respect *exclusion* out of the *Church*, and *receiving* into it again upon *Absolution*, but it chiefly respects the *power* of *Admission* into the *Church*, though by way of *connotation* and *Analogy of Reason* it will carry the other along with it. For if the *Apostles* as *Governours* of the *Church* were *invested* with a *power* of *judging* of mens *fitness* for *Admission* into the *Church* as *members* of it, it stands to the *highest Reason* that they should have thereby likewise a *power* conveyed to them, of *excluding* such as are *unworthy* after their *Admission*; to maintain *communion* with the *Church*. So that this interpre-

tation of the *Power of the Keyes*, is far from *invalidating the Power of the Church*, as to its *censuring Offenders*; all that it pretends to, is only giving a more natural and genuine Sense of the *Power of the Keyes*, which will appear so to be, if we consider these things. 1. That this *Power* was given to Saint *Peter*, before any *Christian Church* was actually *formed*, which (as I have elsewhere made manifest) was not done till after *Christs Resurrection*; when *Christ* had given the *Apostles* their Commission *to go to Preach and Baptize*, &c. Matth. 28. 19. Is it not therefore far more *rational*, *that the Power of the Keyes* here given, should respect the *founding* of a *Church* and *admission* into it, than *ejection* out of it (before it was in being) and receiving into it again? And this we find likewise remarkably fulfilled in the Person of the *Apostle Peter*, who opened *the door of admission into the Christian Church*, both to *Jewes* and *Gentiles*. To the *Jewes* by his *Sermon* at *Pentecost*, when about 3000 *Souls* were brought into the *Church of Christ*. To the *Gentiles*, as is most evident in the story of *Cornelius*, Acts 10. 28. who was *the first fruits of the Gentiles*. So that if we should yield so far to the great *Inhancers* of Saint *Peter's Power*, that something was intended *peculiar* to his *person* in the *Keyes* given him by our *Saviour*, we hereby see how *rationally* it may be understood without the least advantage to the extravagant pretensions of Saint *Peters* pretended Successours. 2. The *pardon of sin* in *Scripture* is most annexed to *Baptism* and *Admission into the Church*, and thence it seems evident, *that the loosing of sin* should be by *admitting into the Church* by *Baptism*, in the same sense by which *Baptism* is said *to save us*, and it is called the *washing of Regeneration*; respecting the Spiritual *advantages* which come by *Admission into the Church of Christ*; and so they are said to have their *sins bound* upon them, who continue *refractory* in their *sins*, as *Simon Magus* is said *to be in the bond of iniquity*. 3. *The Metaphor of the Keyes* refers most to *Admission* into the House, and *excluding* out of it, rather than *ejecting* any out of it, and *re-admitting* them. Thus when *Eliakim* is said to have *the Keyes of the House of* David, it was in regard of his *Power* to *open* and *shut* upon whom he pleased. And thus *Cyprian*, as our learned Mr. *Thorndike* observes,

Rem. p. 2. ch. 5. §. 5. p. 212.

Acts 2. 41.

1 Pet. 3. 21.

Tit. 3. 5.

Acts 8. 23.

Isa. 22. 20.

Cypr. Ep. 73. sect. 6.

ſerves, underſtands the *power of binding and loſing* in this ſenſe, in his *Epiſtle* to *Jubaianus*, where ſpeaking of the *Remiſſion of ſins* in *Baptiſm*, he brings theſe very words of our *Saviour to Peter* as the evidence of it; *That what he ſhould looſe on Earth, ſhould be looſed in Heaven*: and concludes with this ſentence, *Unde intelligimus non niſi in Eccleſiâ præpoſitis & in Evangelicâ lege ac Dominicâ ordinatione fundatis, licere baptizare, & remiſſam peccatorum dare; foris autem nec ligari aliquid poſſe nec ſolvi, ubi non ſit qui ligare poſſit aut ſolvere.* That which I now infer from this diſcourſe is, that the *power* of the *Church* doth not ariſe from meer *conſent* and *confederation*, both becauſe this *power doth reſpect* thoſe who have not actually conſented to it, and becauſe it is ſetled upon the *Governors of the Church* by *Divine Inſtitution*. Thus it appears that the *right of inflicting cenſures* doth not reſult meerly *ex confederatâ Diſciplinâ*, which was the thing to be proved.

The like evidence may be given, for *the duty of ſubmitting to penalties or Church-cenſures in the Members of the Church*: which that it ariſeth not from meer conſent of parties, will appear on theſe accounts. § 20. (2.)

1. Every perſon who enters this *Society* is *bound to conſent* before he doth it, becauſe of the *Obligation* lying upon Conſcience to an open *profeſſion of Chriſtianity*, preſently upon *conviction* of the *underſtanding of the truth* and *certainty of Chriſtian Religion*. For when once the mind of any *rational* man is ſo far wrought upon by the influence of the *Divine Spirit*, as to diſcover the moſt *rational and undoubted evidences*, which there are of the *truth of Chriſtianity*, he is preſently *obliged to profeſs Chriſt openly*, to *worſhip him ſolemnly*, to *aſſemble* with others for *inſtruction* and *participation* of *Goſpel Ordinances*; and thence it follows, that there is an *antecedent Obligation* upon *Conſcience* to *aſſociate* with others, and *conſequently to conſent* to be governed by the *Rulers* of the *Society* which he enters into. So that this *ſubmiſſion to the power of Church-Officers* in the *exerciſe of Diſcipline* upon *Offenders*, is implyed in the very *conditions* of *Chriſtianity*, and the *ſolemn profeſſing* and *undertaking* of it. 2. It were *impoſſible* any *Society* ſhould be upheld, if it be not

laid

laid by the *Founder* of the *Society* as the necessary *Duty* of all *members* to *undergo* the *penalties* which shall be inflicted by those who have the care of governing that Society, so they be not contrary to the *Laws*, *Nature* and *Constitution* of it. Else there would be no *provision* made for *preventing divisions* and *confusions* which will happen upon any *breach* made upon the Laws of the Society. Now this *Obligation* to *submission* to *censures*, doth speak something antecedentally to the *confederation*, although the *expression* of it lies in the *confederation* its self. By this I hope we have made it evident that it is nothing else but a *mistake* in those otherwise Learned persons, who make the *power* of *censures* in the *Christian Church* to be nothing else but a *Lex confederatæ Disciplinæ*, whereas this *power* hath been made appear to be derived from a *higher Original* than the meer *Arbitrary consent* of the several *Members* of the *Church associating* together: And how far the examples of the *Synagogues* under the *Law*, are from reaching that of *Christian Churches* in reference to this, because in these the *power* is conveyed by the *Founder* of the *Society*, and not left to any Arbitrary *Constitutions*, as it was among the *Jews* in their *Synagogues*. It cannot be denied but *consent* is *supposed*, and *confederation necessary* in order to *Church power*; but that is rather in regard of the *exercise*, then the original of it; For although I affirm the original of this *power* to be of *Divine Institution*, yet in order to the *exercise* of it in reference to *particular persons* (who are not mentioned in the Charter of the *power* its self) it is *necessary* that the *persons* on whom it is exerted, should *declare* their consent and submission either by *words* or *actions*, to the *Rules* and *Orders* of this Society.

§ 21. Having now proved that the *Power* of the *Church* doth not arise from meer consent of parties, the next grand Inquiry is concerning the *extent* of this *power*, Whether it doth reach so far as to *Excommunication*? For some men who will not seem wholly to deny all Power in the Church over Offenders, nor that the Church doth subsist by Divine Institution, yet do wholly deny any such Power as that of *Excommunication*, and seem rather to say that Church-Officers may far more congruously to their Office inflict any other mulct upon Offenders, then exclude

exclude them from participation of Communion with others in the Ordinances and Sacraments of the Gospel: In order therefore to the clearing of this, I come to the third Proposition.

That the power which Christ hath given to the Officers of his Church, doth extend to the exclusion of contumacious Offenders from the priviledges which this Society enjoys. In these terms I rather choose to fix it, then in those crude expressions, wherein *Erastus* and some of his *followers* would *state* the *question*, and some of their *imprudent adversaries* have accepted it, *viz.* Whether *Church-Officers* have *power* to exclude any from the *Eucharist*, *ob moralem impuritatem?* And the reasons why I wave those terms, are,

1. I must confess my self yet unsatisfied as to any convincing *Argument*, whereby it can be *proved* that any were denyed *admission* to the *Lords Supper*, who were *admitted* to all other *parts* of *Church-Society*, and owned as *Members* in them. I cannot yet see any particular *Reason* drawn from the *Nature* of the *Lords Supper* above all other *parts* of *Divine Worship*, which should confine the *censures* of the *Church* meerly to that *Ordinance*; and so to make the *Eucharist* bear the same *Office* in the *Body* of the *Church*, which our *new Anatomists* tell us the *parenchyme* of the *Liver*, doth in the *natural Body*, viz. to be *colum sanguinis*, to serve as a kind of *strainer* to *separate* the more *gross* and *faeculent* parts of the *Blood* from the more *pure* and *spirituous*; so the the *Lords Supper* to *strain* out the more *impure* members of the *Church* from the more *Holy* and *Spiritual*. My judgment then is, that Excommunication relates immediately to the *cutting* a *person* off from *Communion* with the *Churches visible Society*, constituted upon the ends it is; but because *Communion* is not visibly discerned but in *Administration* and *Participation* of *Gospel Ordinances*, therefore Exclusion doth chiefly refer to these: and because the *Lords Supper* is *one* of the *highest priviledges* which the *Church* enjoys; therefore it stands to reason that Censures should begin there. And in that sense *Suspension* from the *Lords Supper* of persons apparently unworthy, may be embraced as a prudent, lawful, and convenient abatement of the greater penalty of Excommunication, and so 1.

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to stand on the same general grounds that the other doth; for *Qui potest majus, potest etiam minus*, which will hold as well in *moral* as *natural* power, if there be no *prohibition* to the *contrary*, nor *peculiar Reason* as to the one more than to the other.

2. 2. I dislike the terms *ob moralem impuritatem*, on this account, Because I suppose they were taken up by *Erastus*, and from him by others as the *Controversie* was managed concerning *Excommunication* among the *Jews*, *viz.* whether it were meerly because of *Ceremonial*, or else likewise because of *moral impurity*. As to which I must ingenuously acknowledge *Erastus* hath very much the advantage of his adversaries, clearly proving that no persons under the *Law*, were excluded the *Temple Worship* because of *moral impurity*. But then withal I think he hath gained little advantage to his *cause* by the great and successful pains he hath taken in the proving of that; My reason is, because the *Temple-Worship* or the *sacrifices* under the *Law* were in some sense *propitiatory*, as they were the *adumbrations* of that grand *Sacrifice* which was to be offered up for the *appeasing* of *Gods wrath*, viz. *The Blood of Christ*; therefore to have excluded any from *participation* of them, had been to *exclude* them from the *visible way of obtaining pardon of sin* (which was not to be had *without shedding of Blood*, as the *Apostle* Heb. 9. 23. tells us) and from *testifying their faith towards God* and *Repentance from dead works*. But now under the Gospel those *Ordinances*, which suppose *admission* into the *Church* by *Baptism*, do thereby suppose an *all-sufficient Sacrifice* offered for the *expiation of sin*, and consequently the *subsequent priviledges* do not immediately *Relate to the obtaining of that*, but a *grateful commemoration* of *the Death of Christ*, and a *celebration of the infinite mercy* and *goodness of God* in the way of *Redemption* found out by the death of his *Son*. And therefore it stands to great reason that such *Persons*, who by their *profane* and *unworthy lives* dishonour so Holy a *profession*, should not be *owned* to be as *good* and *sound Members* of the *Society*, founded on so Sacred a *Foundation*, as the most *Christian* and *Religious* Persons. To this I know nothing can be objected, but that, first, The *Passover was commemo-*

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rative among the Jews; and *Secondly, That the priviledges of that people were then very great above other people, and therefore if God had intended any such thing as Excommunication among his people, it would have been in use then.* To these I answer.

1. I grant, the Passover was commemorative as to the occasion of its Institution: but then it was withal Typical and Annunciative of that *Lamb of God who was to take away the Sins of the World*; and therefore no person who desired expiation of sins, was to be debarred from it; but the *Lords Supper* under the Gospel hath nothing in it propitiatory, but is intended as a Feast upon a Sacrifice and a Federal Rite, as hath been fully cleared by a very learned Person in his discourse about the true notion of the Lords Supper.

2. I grant the Jews had very many priviledges above other Nations: Nay so far, that the whole body of the people were looked upon as Gods chosen, and peculiar and holy people; and from thence I justly infer, that whatever exclusion was among the people of the Jews from their Society, will far better hold as an argument for Excommunication under the Christian Church, than if it had been a meer *debarring* from their Levitical Worship. And that I should far sooner insist upon, from the reason assigned, as the ground of Excommunication, than the other infirm and profligated Argument; and so the Exclasion out of the Camp of *Israel* and the *Cerith* among the *Jews*, (whatever we understand by it) may *à pari* hold to be a ground of exclusion from the Christian Society: In Imitation of which, I rather suppose that exclusion out of the Synagogues was after taken up, rather than as a meer *Outlawry*, when they were deprived of Civil Power.

The Question then being thus clearly stated, it amounts to this, Whether under the Gospel, there be any power in the Officers of the Church by virtue of Divine Institution to exclude any Offenders out of the Christian Society, for transgressing the Laws of it? And according to our former Propositions, I suppose it will be sufficient to prove that *power* to be of Divine Institution, if I prove it to be fundamentally and intrinsecally resident in the Society its self. For whatever doth immediately result from the Society its self, must have the same Original which the subject hath, because this hath the nature of an S. 22.

inseparable property resulting from its constitution. For the clearing of which, I shall lay down my thoughts of it as clearly & methodically as I can; and that in these following *Hypotheses*.

1. *Where there is a power of declaring any person to be no true member of the Society he is in, there is a formal power of Excommunication*: For this is all which I intend by it, *viz.* An Authoritative pronouncing *virtute officii*, any Convict Offender to have forfeited his interest in the Church as a Christian Society: and to lose all the Priviledges of it: So that if this power be lodged in any *Church Officer*, then he hath power formally to *Excommunicate*.

2. *Where the enjoyment of the priviledges of a Society is not absolute and necessary, but depends upon conditions to be performed by every Member, of which the Society is Judge, there is a power in the Rulers of that Society to debar any person from such priviledges, upon non-performance of the Conditions.* As supposing the *jus Civitatis* to depend upon defending the Rights of the City; upon a *failing* in reference to this, in any person admitted to *Citizen-ship*, the *Rulers* of the *City* have the same *power* to take that *Right* away, which they had at first to give it; because that Right was never Absolutely given, but upon supposition that the person did not overthrow the ends for which it was bestowed upon him.

3. *The Church is such a Society, in which Communion is not absolute and necessary, but it doth depend upon the performance of some Conditions, of which the Governours of it are the competent Judges*: And that appears,

1. Because the admission into the Church, depends upon conditions to be judged by Pastors, as in case of *adult persons* requiring *Baptism*, and the Children of *Infidels* being *Baptized*: in both which cases it is evident, that Conditions are pre-requisite, of which the *Pastors* are *Judges*.

2. Because the Priviledges of this Society do require a Separation from other Societies in the World, and call for greater Holiness and purity of life; and those very Priviledges are pledges of greater benefits which belong only to persons qualified with suitable conditions; it would therefore be a very great dishonor to this Society, if it lay as common and open as other Societies in the World do, and no more *qualifications* required from the Members of it.

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3. We have instances in the sacred Records of Apostolical times, of such scandals which have been the ground of the exclusion of the persons guilty of them from the priviledges of the Christian society. And here I suppose we may (notwithstanding all the little evasions which have been found out) fix on the incestuous person in the Church of *Corinth.* As to which, I lay not the force of the argument upon the manner of execution of the censure then, *viz.* by delegation from an Apostle, or the Apostolical Rod, or *delivering to Satan*; for I freely grant that these did then import an extraordinary power in the Apostles over Offenders; But I say, the ground and reason of the exercise of that power in such an extraordinary manner at that time, doth still continue, although not in that visible extraordinary effect which it then had. And whatever practice is founded upon grounds perpetual and common, that practice must continue as long as the grounds of it do, and the Churches capacity will admit; (which Hypothesis is the only rational Foundation on which Episcopal Government in the Church doth stand firm and unshaken, and which in the former Discourse I am far from undermining of, as an intelligent Reader may perceive;) now I say that it is evident, that the reasons of the Apostles censure of that person, are not *fetched* from the want of Christian Magistrates, but from such things which will hold as long as any Christian Church: which are the dishonour of the Society, 1 *Cor.* 4. 1. *the spreading of such corruptions further*, if they pass uncensured, 1 *Cor.* 5. 6. and *amendment of the person*, 1 Cor. 5. 5. Upon these Pillars the *power of censures rests it self in the Church of God*, which are the main grounds *of penalties* in all Societies whatsoever, *viz. the preservation of the honour of them, and preventing of further mischief, and doing good to the offending party.* And that which seems to add a great deal of weight to this instance, is, that the Apostle checks the *Corinthians*, that before the exercise *of* the Apostolical Rod, they were not *of* themselves sensible *of* so great dishonour to the Church as that was, and had not used some means *for* the *removing* such a person *from* their Society; *And ye are puffed up, and have not rather mourned, that he that hath done this deed, may be taken away from among you*, 1 Corinth. 5. 2. Thereby implying, that whether there

had been such a thing in the Church, or no, as the Apostolical Rod, it had been the duty of a Christian Society to have done their endeavour in order to the removing such a person from their number. But further, I cannot understand how it should be a duty in Christians to *withdraw from every brother who walketh disorderly*, and Church-Officers not to have power to pronounce such a person to be withdrawn from, which amounts to Excommunication. It is not to me at all material, whether
2 Cor. 5. 11. they did immediately relate to Civil or Sacred converse, (con-
2 Thess. 3. 14. cerning which there is so much dispute) for in which soever we place it, if Church-Officers have a power to pronounce such a person to be withdrawn from, they have a power of Excommunication; so we consider this penalty as inflicted on the person in his relation to the Society as a Christian; and withal, how nearly conjoined their civil and spiritual eating were together, 1 *Corinth.* 11. 20, 21. and how strongly the argument will hold from Civil to Sacred, viz. *à remotione unius ad remotionem alterius*, not from any fancied *pollution in Sacris* from the company of wicked men, but from the dishonour reflecting on the Society from such unworthy persons partaking of the highest priviledges of it. Thus from these three *Hypotheses* this *Corollary* follows, that where any persons in a Church do by their open and contumacious offences, declare to the World that they are far from being the persons they were supposed to be in their admission into the Church, there is a power resident in the Pastors of the Church to debar such persons from the priviledges of it; and consequently from Communion in the Lords Supper. 1. Because this expresseth the nearest union, and closest confederation, as the Συσσίτια among the *Grecians* Commonwealth did. 2. Because this hath been always looked on with greatest veneration in the Church of God; and therefore it is least of all fit those persons should be admitted to the highest priviledges of the Church, which are unworthy of the lowest of them.

§. 13. There remain only some few Objections which are levelled against this opinion concerning the power of Excommunication, which from the Question being thus stated and proved, will be soon removed. The *first* is, *that this Excommunication is an outward punishment, and therefore belongs not to Church-Officers,*

Officers, but to the Magiſtrate. 2. *Becauſe it neither is, nor ever was in the power of any Church-Officer to debar any offending member from publick Worſhip, becauſe any Heathens may come to it.* 3. *It cannot lie as to excluſion from the Lords Supper, becauſe Chriſt is offered as ſpiritual food, as well in the Word Preached as in the Sacrament.* To theſe I anſwer, 1. I do not well underſtand what the Objectors mean by an outward puniſhment; for there can be no puniſhment belonging to a viſible Society, (ſuch as the Church is here conſidered to be) but it muſt be viſible, *i. e.* outward, or a thing to be taken notice of in the World; and in this ſenſe I deny that all viſible puniſhment belongs only to the Magiſtrate; but if by outward, be meant forcible puniſhment, then I grant that all coactive power belongs to the Magiſtrate; but I deny that Excommunication formally conſidered, is a forcible puniſhment. 1. Becauſe every perſon at his entrance into this Society, is ſuppoſed to declare his ſubmiſſion to the rules of the Society; and therefore whatever he after undergoes by way of penalty in this Society, doth depend upon that conſent. 2. A perſon ſtands Excommunicate legally and *de jure*, who is declared authoritatively to be no Member of the Society, though he may be preſent at the acts of it, as a defranchiſed perſon may be at thoſe of a Corporation. 3. A perſon falling into thoſe offences which merit Excommunication, is ſuppoſed in ſo doing, voluntarily to renounce his intereſt in thoſe priviledges, the enjoyment of which doth depend upon abſtaining from thoſe offences which he wilfully falls into, eſpecially if contumacy be joyned with them, as it is before Excommunication; for then nothing is done forcibly towards him; for he firſt relinquiſheth his right, before the Church-Governour declares him excluded the Society. So that the offendor doth meritoriouſly excommunicate himſelf, the Paſtor doth it formally, by declaring that he hath made himſelf no member by his offences and contumacy joyned with them. To the ſecond I anſwer, That I do not place the formality of Excommunication in excluſion from hearing the Word, but in debarring the perſon from hearing *tanquam pars Eccleſiæ*, as a member of the Church, and ſo his hearing may be well joyned with that of Heathens and Infidels, and not of Members of the Church. To the third I

anſwer,

answer, That exclusion from the Lords Supper is not on the accounts mentioned in the Objection, but because it is one of the chiefest Priviledges of the Church, as it is a visible Society.

Having thus cleared and asserted the power of Excommunication in a Christian Church, there remains only one enquiry more, which is, Whether this power doth remain formally in the Church, after its being incorporated into the Commonwealth, or else doth it then escheat wholly into the Civil Power? The resolution of which question mainly depends on another spoken to already, *viz.* Whether this power was only a kind of Widows estate, which belonged to it only during its separation from the Civil Power, or was the Church absolutely infeoffed of it as its perpetual Right, belonging to it in all conditions whatsoever it should be in? Now that must appear by the Tenure of it, and the Grounds on which it was conveyed, which having been proved already to be perpetual and universal, it from thence appears that no accession to the Church can invalidate its former Title. But then as in case of Marriage, the right of disposal and well management of the Estate coming by the Wife, belongs to the Husband; so after the Church is married into the Commonwealth, the right of supream management of this power in an external way doth fall into the Magistrates hands. Which may consist in these following things. 1. A right of prescribing Laws for the due management of Church-censures. 2. A right of bounding the manner of proceeding in censures, that in a setled Christian-state, matters of so great weight be not left to the Arbitrary pleasure of any Church-Officers, nor such censures inflicted but upon an evident conviction of such great offences which tend to the dishonour of the Christian Church, and that in order to the amendment of the Offenders life. 3. The right of adding temporal and civil Sanctions to Church censures, and so enforcing the spiritual Weapons of the Church, with the more keen and sharp ones of the Civil State. Thus I assert the force and efficacy of all Church-censures *in foro humano* to flow from the Civil Power, and that there is no proper effect following any of them as to Civil Rights, but from the Magistrates Sanction. 4. To the Magistrate

Magistrate belongs the Right of appeals in case of unjust censures, not that the Magistrate can repeal a just censure in the Church, as to its spiritual effect, but he may suspend the temporal effect of it: in which case it is the duty of Pastors to discharge their office and acquiesce. But this power of the Magistrate in the supreme ordering of Ecclesiastical as well as Civil Causes, I have fully asserted and cleared already. From which it follows, That as to any outward effects of the power of Excommunication, the person of the Supreme Magistrate must be exempted, both because the *power* of these censures doth flow from him in a Christian State, and that these otherwise would be a *progress in infinitum*, to know whether the censure of the Magistrate were just or no. I conclude then, that though the Magistrate hath the main care of ordering things in the Church, yet (the Magistrates power in the Church being cumulative, and not privative) the Church and her Officers retain the Fundamental Right of inflicting censures on Offenders: Which was the thing to be proved. *Iren.* p. 1. c. 2. sect. 7.

Dedit Deus his quoque Finem.

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